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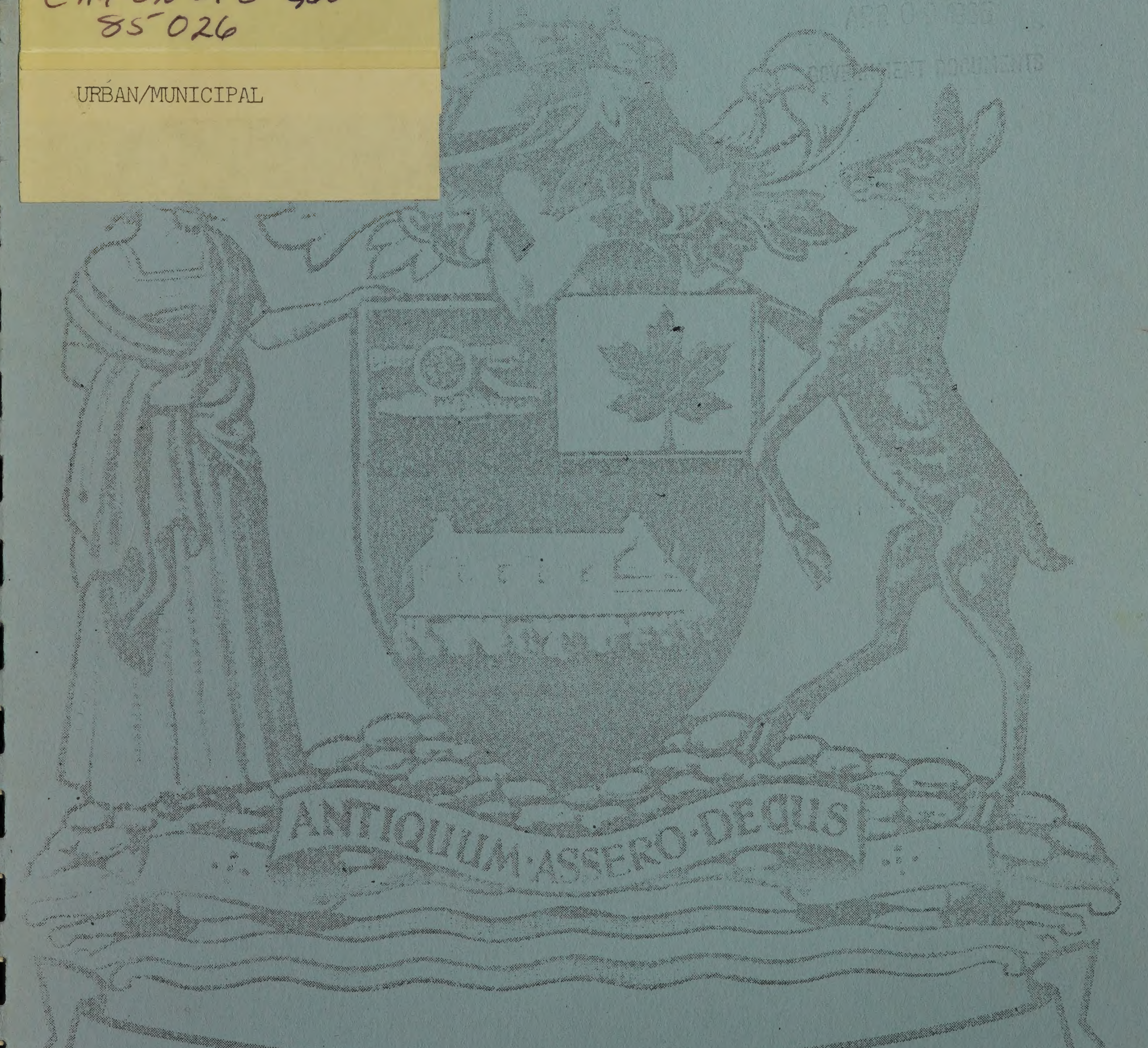
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CITY OF STONEY CREEK

CITY OF STONEY CREEK
OFFICIAL PLAN

Prepared by:
PLANNING DEPARTMENT
OF THE CITY OF STONEY CREEK

THIRD DRAFT
APRIL, 1985

DRAFT
FOR DISCUSSION PURPOSES ONLY

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PART ONE

INTRODUCTION

A. PURPOSE OF THE PLAN

The purpose of this Plan is to provide a comprehensive policy framework to direct an orderly, efficient and economical pattern of growth. It is also intended to provide the basis for co-ordination of public and private actions by defining future relationships among land uses and municipal services. In particular, the Official Plan:

- establishes long-term intentions on the nature and extent of growth and protection of the natural and man-made resources through a land use, environmental and servicing strategy for Stoney Creek to the year 2001;
- functions as a framework to integrate the broad concepts of the Regional Municipality of the Hamilton-Wentworth Official Plan, relevant Provincial and Federal legislation, and local municipal objectives;
- outlines the procedures for implementing municipal planning objectives by such means as special studies, secondary plans, neighbourhood plans and zoning by-laws; and
- encourages harmony and balance amongst various land uses while promoting civic beauty and providing a pleasant living environment.

B. BASIS FOR THE PLAN

The following factors have resulted in the Council of the City of Stoney Creek's preparation of this Plan:

- The legislation which established the Regional Municipality of Hamilton-Wentworth requires that every Official Plan and every by-law passed under the provisions of the Planning Act within the Region shall conform with the provisions of the Regional Official Plan. As such, a Plan for Stoney Creek is required which brings municipal policies into conformity with the intentions of the Regional Official Plan.

- Changes to The Planning Act and the introduction of other planning related legislation in recent years requires a Plan which enables Municipal decision-makers to effectively use all available planning tools in the development of Stoney Creek.

- The City of Stoney Creek Official Plan comprises the Official Plans of the former Town of Stoney Creek and the former Township of Saltfleet since the amalgamation of the two Municipalities in 1974. Accordingly, it is necessary that one comprehensive document be established for the entire City of Stoney Creek.

- The former Town of Stoney Creek Official Plan was approved in 1964 and the former Township of Saltfleet Official Plan was approved in 1962. Numerous amendments have been approved in the intervening years. Consequently, it is necessary that the City be provided with an overall, flexible and easily administered Official Plan document.

- Studies have recently been completed for the City and it is necessary that certain findings of those studies be incorporated into the Official Plan. Among these studies were the Housing Study, the Recreation Master Plan, the Central Area Study, the Waterfront Study and various Land Use, Economic and Demographic Inventories.

- Significant changes in demographic trends witnessed in recent years were not anticipated years ago in the preparation of the existing Official Plans. As a result, there is now a need to incorporate the implications of these changes in a new Plan for Stoney Creek.

C. ANTICIPATED GROWTH

The Official Plan is based on a number of assumptions. Such assumptions establish a framework for policy formulation. Specifically, this Plan is based on the following:

- The City of Stoney Creek will continue as a prominent developing urban and rural community within, and an integral component of, the Regional Municipality of Hamilton-Wentworth. It is anticipated that the City will function as an important centre for employment, shopping and residences serving the Region and surrounding areas.
- The City will be able to accommodate a population of up to 80,000 persons by the year 2001.
- This Plan assumes that the focus of residential growth will generally occur in the area north of the Niagara Escarpment, west of Fruitland Road, and in the West Mountain Planning District south of the Niagara Escarpment. Industrial development will primarily occur between the Queen Elizabeth Way and Barton Street east of the City's westerly boundary and generally as far east as Winona Road.

D. PLAN FORMAT

The Official Plan is organized in the following manner:

- Part One, "INTRODUCTION", describes the basis and assumptions underlying the Plan. This Part does not form part of the Plan, it is intended for information purposes only.

- Part Two, "THE PLAN", is set out in six sections. Each section consists of policy statements and related schedules. A change to Part Two of the Plan will require an amendment to the Plan.

- Part Three, "THE APPENDICES", contains background information to assist in the better understanding of the Plan. Changes in the text and maps and any additional information to be incorporated to this Part will not require an Amendment to this Plan.

PART TWO

THE PLAN

SECTION A

THE LAND USE PLAN

The general extent of future development in the City of Stoney Creek has been established by the Regional Official Plan. It is the objective of this Plan to provide a LAND USE PLAN which implements the Regional Development Pattern in Stoney Creek. At the same time, this Plan attempts to accommodate the nature and extent of expected growth.

This Land Use Section indicates which areas in Stoney Creek should be set aside for residential, commercial, industrial, institutional, rural, open space and other uses. This Section also is designed to ensure that services and utilities are effectively used; major open space, conservation and environmentally-sensitive areas are protected and adequate economic and social opportunities are available and reasonably accessible from residential uses. In addition, this Section includes Secondary Plans for Urban-Residential Planning Districts.

The General Land Use designations identified in this Section are shown on Schedule "A", which Schedule also identifies the Urban Policy Areas in the City. Furthermore, more detailed designations are shown by the Secondary Plan Schedule "A" series and corresponding policies.

Secondary Plans are land use policy plans that indicate in detail how the objectives, policies and designations of this Plan are to be implemented in a particular area. Such Secondary Plans form part of this Section and for areas where they do not yet exist, they will be prepared and be incorporated into this Plan as an Official Plan Amendment.

SUBSECTION A.1

RESIDENTIAL

1.1 OBJECTIVES

1.1.1 To ensure that a sufficient supply of land is available to accommodate expected population growth and changing demands for residential development.

1.1.2 To provide a range of housing types and densities of varied styles while ensuring the provision of amenities necessary for local residents.

1.1.3 To ensure that new Residential development or re-development is compatible with surrounding existing and proposed development and is not subject to noxious environmental elements.

1.1.4 To promote a residential development pattern where the efficient use of energy is an important component.

1.2 POLICIES

1.2.1 The primary uses permitted in areas designated on Schedule "A" as RESIDENTIAL shall be for dwellings. The location and type of residential densities within these areas, however, shall conform with the relevant Secondary Plan provisions as specified under this Subsection, Subsection A.13, F.3 and other relevant policies of this Plan.

1.2.2 Home occupations and housing for special purposes such as senior citizen housing, Group Homes and Residential Care Facilities may be permitted in areas designated Residential by this Plan. Uses that are deemed necessary to serve adequately the needs of local residents and which are compatible with surrounding development may also be permitted provided that they comply with the Secondary Plan provisions of this Plan. Such uses include but are not limited to:

a) Limited individual or groups of local commercial uses (excluding Automobile Service Stations), in accordance with the Local Commercial policies and General Provisions set out in Subsection A.3 of this Plan;

b) Neighbourhood Parks primarily designed for local use in accordance with the relevant policies of Subsection A.7;

c) Churches, day nurseries, and similar small scale institutional uses designed primarily to serve the local area; and,

d) Elementary Schools.

1.2.3 In addition to permitted local commercial uses, Council may permit individual retail stores or service shops in a multiple family residential building for the primary purpose of serving the building's occupants provided that such a building has a minimum of approximately 80 dwelling units.

1.2.4 Lands intended for residential use within the Central Area are not designated Residential on Schedule "A". Such residential uses will be subject to the detailed policies of Subsection A.2, Central Area.

1.2.5 Any development shall be provided with full urban services including paved roads, municipal sanitary and storm sewers and piped water. In no case will development be approved where the agency having jurisdiction indicates that such services are not available or adequate to accommodate the intended development, unless otherwise specified in this Plan.

1.2.6 An adequate number and variety of dwellings to satisfy the physical, social and financial shelter requirements of existing and future residents of the City of Stoney Creek shall be provided. In this respect, the City shall prepare and annually update housing targets and strategies in support of this policy. Housing targets should include but not be limited to the following:

a) Housing mix, (e.g., single family, semi-detached, townhousing, apartments, etc.)

b) Housing tenure (ownership and rental units); and,

c) Housing for special groups including senior citizens, low income persons and the physically handicapped.

1.2.7 Council shall encourage the responsible public agencies to provide low cost housing and housing for special purposes such as senior citizen housing at appropriate locations in the City.

1.2.8 All residential development within areas designated as Residential by this Plan will be directed to Planning Districts and Urban Residential Neighbourhoods as identified on Schedule "E". Council shall ensure that an adequate number of dwellings, park, school and other community facilities are available, or will be available to adequately serve the Residential Neighbourhoods. In this regard, permitted uses under the Residential designation will be located and developed in accordance with the SECONDARY PLAN policies and related Schedules of Subsection A.13 and other relevant policies of this Plan.

1.2.9 The Residential Densities within the respective Residential land use designations identified by the SECONDARY PLANS shall be as follows:

a) LOW DENSITY - approximately 1 to 29 units per Net Residential Hectare. This designation permits predominantly single family detached, duplex and semi-detached dwellings. These types of dwellings are to be generally located at the interior of Residential Neighbourhoods adjacent to local roads.

b) MEDIUM DENSITY - approximately 30 to 49 units per Net Residential Hectare. This designation permits predominantly town house dwellings and walk-up apartments. Generally, these types of dwellings are to be located at the periphery of the Residential Neighbourhoods adjacent to arterial roads and/or collector roads.

c) MEDIUM-HIGH DENSITY - approximately 50 to 99 units per Net Residential Hectare. This designation permits predominantly apartment dwellings in buildings not exceeding a height of nine stories. This type of dwelling generally is to be located adjacent to or in close proximity to arterial and/or collector roads, community facilities and open space areas.

d) HIGH DENSITY - approximately 100 to 200 units per Net Residential Hectare, unless otherwise specified in the Secondary Plan. This category permits predominantly high rise apartments. This type of dwelling is generally to be located:

(i) within and at the periphery of the area designated by this Plan as Central Area, or;

(ii) adjacent to or in close proximity to arterial roads, community and park facilities and open space areas.

1.2.10 For the purpose of SECONDARY PLANS, Net Residential Density refers to the number of dwelling units per Net Residential Hectare of any particular development or re-development. In the case of single family, duplex and semi-detached dwellings, Net Residential Density includes only the land for residential lots, and excludes lands for public roads, public park lands and hazard lands. In the case of any housing form other than single family, duplex and semi-detached dwellings, Net Residential Density includes the lands for dwellings, private internal roads, parking areas, open space and other associated amenities directly related and forming part of the development and/or redevelopment.

1.2.11 Within each of the Secondary Plan's Residential Density designations outlined in Policy 1.2.9 of this Subsection, the Zoning By-law will restrict the uses of any site to one or more of the dwelling unit types permitted within that designation. Such restrictions will be implemented to preserve the character of a neighbourhood and to promote compatibility of dwelling unit types with surrounding existing and proposed land uses.

1.2.12 Sites designated on Secondary Plans for medium, medium-high and high density residential uses may be developed at lower densities and/or for any other use permitted under the Residential designation without an amendment to this Plan provided:

a) The proposed use would comply with Policy A.1.2.19 and with any other relevant policies of this Plan;

b) The proposed use is compatible with existing and proposed surrounding development;

c) The proposed use would not create a detrimental effect upon existing development within the area, especially from the aspect of traffic; and,

d) The implementing Zoning By-law is amended to permit the proposed use.

1.2.13 Sites designated in Secondary Plans for low density residential uses may be developed for non-residential uses permitted under the Residential designation provided the proposal is in compliance with the conditions outlined in Policy 1.2.12 (a) to (d) inclusive of this Subsection.

1.2.14 Where an Elementary School site shown on a Secondary Plan is deemed surplus to the needs of the relevant School Board, such a site may be developed for low density residential uses and/or for park purposes without amendment to this Plan provided that an amendment to the implementing Zoning By-law is approved.

1.2.15 In the evaluation of any proposal for multiple family residential development (triplex, fourplex, sixplex, attached housing and apartment dwellings), the relevant Secondary Plan policies of this Plan shall apply. In addition, Council shall be satisfied that:

a) Schools and neighbourhood commercial facilities will be adequate for the increased residential density resulting from the proposal;

b) The height, bulk and arrangement of buildings and structures will achieve harmonious design and will not conflict with the existing and/or expected development of the surrounding area. In this regard Council may require the developer to submit evidence that wind and shadows will not have a harmful effect upon adjacent areas;

c) Appropriate off-street parking, landscaped areas, protection for abutting residential uses where warranted, and other accepted site planning features can be satisfactorily accommodated on the proposed site; and,

d) Ingress and egress to the property will be so designed as to minimize traffic hazards and congestion on surrounding streets.

1.2.16 Where direct access is not permitted upon arterial roads, residential development may be permitted on reverse frontage lots subject to special building setbacks, landscaping and screening requirements.

1.2.17 In the development of new residential areas and as far as practical in the infilling or redevelopment of established areas, Council may undertake or require the following in order to achieve high standards of residential amenity:

a) Provision and maintenance of adequate off-street parking.

b) Provision, improvement and/or maintenance of on-site landscaping; and,

c) The provision and maintenance of adequate separation distances and the placement of buffering features between residential uses of differing densities as well as other land uses.

In addition, residential development and/or infilling within developed neighbourhoods shall not be on a scale so as to create a land use conflict with surrounding uses.

1.2.18 Council shall ensure that the local residential environment is of a condition and variety satisfactory to meet the changing needs of area residents. Accordingly, Council shall:

a) Support the provision of community facilities needed by residents including accessibility to such facilities;

b) Encourage the maintenance of residential properties subject to the provisions of Subsection E.2 "Municipal Housekeeping and Property Maintenance";

c) Require appropriate measures to attenuate the effects of noise, visual intrusion or other undesirable effects on new residential development adjacent to freeways, inter-regional highways, arterial roads, railways and other environmentally incompatible land uses in consultation with the Ministry of the Environment; and

d) Encourage subdivision design which incorporates energy efficient features in accordance with the provisions of Subsection E.1. Such features may include, but not be limited to:

  i) street orientation to provide solar access for active and/or passive solar heating;

  ii) where street orientation does not provide for the utilization of direct solar access, alternative house designs will be encouraged to provide solar access.

1.2.19 The introduction of compatible permitted non-residential uses in the Residential area shall:

a) be required to provide adequate yards, off-street parking and loading, landscaping, screening, buffering or such other site planning measures as determined by Council;

b) not be of a nature so as to have a detrimental effect on the adjacent residential uses, and

c) in the instance of public utilities and similar uses, these facilities shall be so treated as much as practical to be in keeping with the general character of surrounding buildings, structures and landscape features.

In addition to the above, where compatible non-residential uses are proposed, the policies of Subsection A.13, F.3 and other relevant policies of this Plan shall apply.

1.2.20 In recognition of the value of residential rehabilitation, Council shall encourage the renovation, re-use, renewal, and residential conversion of existing housing stock and/or the adaption of old buildings for new uses permitted under the Residential designation in accordance with Policy A.1.2.19 and other relevant policies of this Plan.

1.2.21 The conversion of rental housing in projects with six or more units to condominium or equity co-operative tenure is considered premature and not in the public interest unless the rental vacancy rate in the City of Stoney Creek exceeds 2%. Further, no conversion will be allowed which will lower the vacancy rate below 2%. Should the vacancy rate exceed 2%, Council shall ensure that the subject lands and building(s) are physically suitable for the proposed conversion. In this regard, Council may adopt specific guidelines to evaluate condominium and equity co-operative conversions.

1.2.22 Home Occupation uses may be permitted in the implementing Zoning By-law, based on, but not limited to the following policies:

a) A Home Occupation shall be carried on only within a single family detached dwelling unit and solely by those occupying the dwelling; and,

b) A Home Occupation will occupy only a limited floor area of the dwelling as specified in the appropriate Zoning By-law; and,

c) A Home Occupation and the traffic associated with the Home Occupation shall not be such that it will detract from the character of the area; and,

d) The Home Occupation will not be conducted in such a manner as to cause the dwelling to differ from its residential character by the use of colours, materials, construction, lighting or by the emission of odours, airborne dust or smoke, noise and/or vibrations; and,

e) The Home Occupation will be regulated from the aspect of signage and parking.

Further, a Home Occupation shall not be deemed to be a mixed Commercial-Residential Use for the purposes of Subsection A.3 of this Plan.

1.2.23 Group Homes and Special Care Facilities as defined by this Plan may be permitted provided that relevant community services and facilities necessary to support such homes are available in the area. Such services and facilities may include but not be limited to public transportation, shopping, recreation and health facilities. In order to prevent an undue concentration of Group Homes and Special Care Facilities in specific areas, standards requiring a minimum distance between these facilities will be incorporated in the implementing Zoning By-law.

1.2.24 Lands designated Residential by this Plan are subject to the staging policies established in Section F.2 of this Plan and, therefore, such policies must be considered in the review of any development proposal.

1.2.25 In the evaluation of residential development or redevelopment proposals, adequate provisions for noise attenuation features to the satisfaction of the Ministry of the Environment may be required.

1.2.26 Lands designated Residential by this Plan but not intended for immediate development may be zoned in a Holding category in the implementing Zoning By-law in accordance with the provisions of Subsection F.4 of this Plan.

1.2.27 Site Plan Control may be applied to any development or redevelopment other than low density residential development in accordance with the provisions of Subsection F.6 of this Plan.

1.2.28 The subdivision of land through the Consent process shall be subject to the policies of this Subsection and Subsections C.1 and C.2.

SUBSECTION A.2

CENTRAL AREA

2.1 OBJECTIVES

2.1.1 To promote the Central Area as a Multi-Use node for retail, office, residential, social, community and health services and to encourage the creation of a variety of employment opportunities.

2.1.2 To enhance the multi-use function of this centre by creating an attractive environment in which to live, work, do business, shop and visit.

2.1.3 To provide adequate public transit and road access for pedestrian and vehicular flows.

2.2 POLICIES

2.2.1 The CENTRAL AREA as identified on Schedule "A" will function as a primary focus for local community activity. In this regard, a wide range of land uses are permitted by this designation provided that compatibility and harmony among adjacent uses can be achieved.

2.2.2 The primary uses permitted in the Central Area shall be for the following:

a) Commercial uses including but not limited to retail stores, personal service shops, restaurants (including outdoor patio cafes), hotels, banks, printing shops, professional business offices and medical offices, medical support facilities such as laboratories, commercial parking facilities, mixed commercial/residential uses and expressly excluding industrial uses and motor vehicle repair garages;

b) Public and institutional uses, including but not limited to governmental, cultural, educational, religious or health and welfare facilities, public parking lots and public utilities;

c) Residential uses of various types and densities, including, but not limited to, single family detached, semi-detached, row and apartment housing and housing for special purposes such as senior citizen housing, and;

d) Open space uses including but not limited to parks and parkettes, open space linkages, trails, open space areas forming part of the street or designed to complement the streetscape, drainage channels and public and private recreational facilities.

2.2.3 To strengthen the role of the Central Area as a focus for community activity, Council shall:

a) encourage new commercial development and/or redevelopment within the Primary Retail Area, which is generally defined as being both sides of King Street from Lake Avenue to New Mountain Road and both sides of Jones Street, so as to create a concentrated Commercial Core;

b) establish a civic focus including a major public facility and other civic related uses such as open space area for public gatherings, community and cultural centres and a farmers' market;

c) encourage the development and/or expansion of open space uses and recreational facilities. In this respect, Council shall give preference to the provision of such amenities in those areas where deficiencies in public facilities have been identified (e.g., the provision of centrally located open space areas in the form of parkettes and walkways);

d) establish and expand community services such as those for senior citizens and children as well as medical facilities to serve both the resident and employment population;

e) promote and expand tourist facilities with the co-operation of the Region; and,

f) implement an energy efficient land use pattern and transportation network.

2.2.4 Within the Central Area, there is a variety of residential densities. It is the intent of this Plan that this variety be continued in the future. However, where feasible, Council shall encourage medium and high density residential development (triplex, fourplex, sixplex, attached housing and apartment dwellings) and housing for special purposes such as senior citizen housing.

2.2.5 Mixed use development permitted within this designation shall be designed to ensure compatibility between the commercial and residential components. In this regard the amenity areas shall be provided for the residents separate from commercial parking, loading areas or garbage storage areas and the uses shall be sufficiently separated so as to ensure amenable co-existence.

2.2.6 Council shall encourage redevelopment, renewal, infilling, the use of existing buildings for adaptive use, rehabilitation and property maintenance projects in accordance with the relevant provisions of Section "E" of this Plan provided that such projects meet the relevant Zoning By-law regulations. In the case of redevelopment, preference shall be given to redevelopment proposals on a comprehensive basis rather than on an individual property basis.

2.2.7 The character and function of the Central Area are to be enhanced. Specifically, Council shall:

a) ensure the careful integration of infilling development or redevelopment so that such is in scale and character with the surrounding area;

b) promote the amenity of the sidewalk through the uniform design and distribution of street furniture, information kiosks, garbage receptacles, trees and planting boxes, public and private signage and lighting and suitable covering to protect the pedestrians from the elements;

c) ensure that building setbacks are compatible with adjoining buildings to maintain continuity and harmony along the streetscape;

d) establish building envelopes consisting of setback, height and light angles adequate to ensure acceptable shadow cast to, and light access for, adjacent properties; and,

e) encourage the upgrading of existing pedestrian linkages and/or the implementation of new linkages between the Central Area and nearby residential areas. In this regard, open space areas adjacent to existing water courses shall be utilized wherever feasible.

2.2.8 In recognition of existing buildings of architectural and/or historical value, Council shall encourage, wherever possible, the preservation and rehabilitation of heritage and/or architecturally significant properties within the Central Area in accordance with the provisions of Subsection E.5 of this Plan.

2.2.9 The City will undertake an active role in the implementation of a revitalization scheme for the Central Area. In this regard Council shall periodically investigate the feasibility of obtaining Federal and/or Provincial funding for the enhancement and revival of the area. In addition, the City will seek the co-operation of the Business Improvement Area (BIA) in the implementation of downtown improvement programmes.

2.2.10 Council shall ensure that pedestrian and vehicular circulation, as well as general accessibility within the Central Area is accommodated through the most effective means and in accordance with the relevant provisions of Section D.3 of this Plan. In this regard, Council shall promote the use of Public Transit as an alternate means of transportation to the automobile.

2.2.11 Council shall endeavour to increase the attractiveness and convenience of this Centre for business and retail activities through the provision of sufficient and centrally-located off-street parking facilities. In so doing, Council shall be guided by the following:

a) the extension to and/or development of both municipal and privately-owned off-street parking facilities will be co-ordinated so as to ensure that sufficient parking opportunities are integrated with business and retail activities;

b) the assembly of land for future parking purposes shall be encouraged at preferable locations. In this regard, the lands comprising approximately 0.27 hectares located on the south side of Jones Street and west of the Stoney Creek shall be set aside for a parking area in conjunction with abutting commercial uses;

c) the parking areas should be linked to King Street by pedestrian walkways;

d) screening, fencing and/or appropriate landscaping features should be utilized to screen the parking areas when adjoining residential areas;

e) access to parking areas should be conveniently located from existing laneways or from side streets; and,

f) sufficient loading and unloading space is to be provided at the rear of commercial activities fronting on King Street to prevent on-street congestion caused by delivery vehicles.

2.2.12 Council shall establish a reserve fund for the acquisition of properties for public off-street parking in accordance with the provisions of Subsection F.8 of this Plan. In this regard, Council may waive the requirement for sufficient parking on site as a condition of development, provided that the owner makes a financial contribution for the provision of Municipal parking elsewhere in the Central Area.

2.2.13 Council may authorize increases in the height and/or density of development that is otherwise permitted in the Zoning By-law where the proponent provides landscaping, services or facilities to enhance the Central Area in accordance with Policy F.4.6 of this Plan.

2.2.14 The conversion of rental housing to condominium or equity co-operative tenure may be considered only in accordance with the provisions of Policy A.1.2.21 of this Plan.

2.2.15 Council shall implement a Property Maintenance and Occupancy Standards By-law and Sign Control By-law to assist in the achievement of the objectives established by this Plan for the Central Area.

2.2.16 The four properties situated on the south side of King Street West between Centennial Parkway and Battlefield Creek and designated as Central Area by this Plan, shall develop comprehensively for commercial uses utilizing limited vehicular access to King Street West. Such limited access must be to the satisfaction of the Region's Commissioner of Engineering. Further, these lands must be zoned in a commercial holding zone until the properties are assembled as part of a comprehensive development.

2.2.17 All future development and/or redevelopment within the Central Area shall comply with the relevant Secondary Plan policies of this Plan in accordance with the provisions of Subsection F.3.

2.2.18 Notwithstanding the foregoing, any development proposal on lands presently located in the floodplain of the Stoney Creek and Battlefield Creek shall be in accordance with the provisions of Subsection B.2 and D.1.2 of this Plan.

SUBSECTION A.3

COMMERCIAL

3.1 OBJECTIVES

3.1.1 To encourage the provision of a sufficient level and variety of retail activity in the City to accommodate the demand of residents.

3.1.2 To ensure that commercial development not have adverse effects on adjacent land uses and that such development occur in an orderly and highly aesthetic manner, readily and safely accessible to local residents.

3.1.3 To promote the consolidation of existing Strip Commercial areas and to discourage their unnecessary extension.

3.2 GENERAL POLICIES

3.2.1 Council recognizes that there is a range of Commercial categories in the City, namely, SHOPPING CENTRES, GENERAL COMMERCIAL, HIGHWAY COMMERCIAL and LOCAL COMMERCIAL. Schedule "A" the General Land Use Plan, shows these various Commercial Categories exclusive of Local Commercial uses. The location and distribution of Local Commercial uses shall be identified in accordance with the policies of this Subsection, Subsections A.1, A.13 and F.7 and other relevant policies of this Plan. The following General Policies are to be applied to all of the above mentioned categories.

3.2.2 Commercial establishments or centres that are proposed adjacent to existing Commercial uses will be encouraged to integrate the design and dimensions of structures, parking areas and access points with those of adjacent uses.

3.2.3 In addition to the provisions of Subsection D.3.3 "Public and Private Parking" of this Plan, adequate parking and loading space will be required in clearly-defined areas for all commercial development and redevelopment.

3.2.4 Access points to parking areas where possible shall be limited in number and designed in a manner which will minimize the danger to vehicular and pedestrian traffic.

3.2.5 Loading facilities and parking areas for delivery vehicles shall be located, buffered and screened so as to minimize adverse effects on the general public view and adjacent uses.

3.2.6 The size of advertising, identification or other promotional signs and devices will be regulated by appropriate by-laws in order to avoid conflicts with effective traffic control and the general amenity of the area.

3.2.7 Where Commercial uses are proposed to be developed adjacent to lands designated Residential, Council shall ensure that access drives, parking and service areas will be screened and/or buffered so that noise, light or undesirable visual effects emanating from the Commercial use are reduced. Particularly, light from standards or other external lighting fixtures, excluding those used for store and window display or wall illumination, will be directed downwards and shielded or oriented as much as practicable away from the adjacent lands designated Residential.

3.2.8 Any structures containing both residential and commercial uses (other than a building permitted under Policy A.1.2.3 and Policy A.1.2.22) shall, in addition to other policies of this Plan, be subject to the following policies:

a) Amenity areas will be provided exclusively for the Residential component and will be functionally separated from public areas associated with the Commercial component;

b) Council shall be satisfied that any effect from the Commercial component which will detract from the amenity of the associated Residential uses will be minimized;

c) Customer parking areas associated with the Commercial component will preferably be physically separated from Residential uses, and in no case will the customer parking areas interfere with the safe and efficient use of Residential parking areas; and,

d) Council shall be satisfied that engineering services, school, park and similar community facilities are adequate to serve the needs of the residents.

3.2.9 In considering proposals for Automobile Service Stations, Council shall require that the following provisions are complied with:

a) the preferred location for an Automobile Service Station will be adjacent to the intersections of major roads;

b) an automobile Service Station shall only be permitted in a location which will not endanger vehicular and pedestrian traffic;

c) access points shall be limited and so designed as to minimize traffic hazards and congestion; and,

d) on a shopping centre site, the structure should be physically separated from the major activity areas and buildings of the shopping centre and in proximity to major roads.

3.2.10 Site Plan Control will be applied to any commercial development in accordance with Subsection F.6 of this Plan.

3.2.11 In accordance with the Regional Official Plan, this Plan recognizes a SUB-REGIONAL CENTRE in the vicinity of the intersection of Centennial Parkway and Queenston Road. Accordingly, the SHOPPING CENTRE and GENERAL COMMERCIAL designations on these lands are intended to reflect certain permitted uses of this Sub-Regional Centre. It is further intended that lands adjacent to the Sub-Regional Centre will include the following uses in accordance with the relevant land use designations of this Plan.

a) Residential Uses of higher densities;

b) Retail Uses, as well as some offices; and

c) Major Institutional Uses, including social, community and health services.

3.2.12 Lands intended for commercial uses within the Central Area are not indicated on Schedule "A". Such commercial uses will be subject to the detailed policies of Subsection A.2, Central Area.

3.2.13 To enhance the quality of any COMMERCIAL/RESIDENTIAL development, Council may, where deemed appropriate, permit additional height and/or density in excess of the Zoning By-law provisions, in accordance with Policy F.4.6 of this Plan.

3.3 SPECIFIC POLICIES

In consideration of the differences among the various commercial designations of this Plan including Local Commercial uses, the following policies are to be applied to these respective areas in addition to the foregoing general policies.

3.3.1 SHOPPING CENTRES

3.3.1.1 The Shopping Centre designation applies to a group of architecturally unified commercial establishments planned and developed as a unit and having a combined gross leasable floor area of no less than 1400 square metres and no more than 37,000 square metres.

3.3.1.2 The Shopping Centre designation applies primarily to a broad range of commercial uses including department stores, retail shops and personal service shops, restaurants, offices, places of entertainment, recreation and assembly, financial institutions, automobile service stations, motor vehicle sales rooms and motor vehicle sales lots, and uses similar and accessory to the foregoing. Community and institutional facilities may be permitted where they will not restrict or interfere with the function of the primary permitted uses, subject to the General Provisions of this Subsection.

3.3.1.3 Council shall only consider for approval any proposal for a Shopping Centre which derives its access from a Collector Road, Arterial Road or a Provincial Highway as designated on Schedule 'D' of this Plan.

3.3.1.4 Shopping Centres are appropriate forms of Commercial development necessary to the economic health of the City and the Region. In this regard, the following classification of Shopping Centres in the preparation of Secondary Plans will be utilized:

a) A DISTRICT SHOPPING CENTRE will have a gross leasable floor area of 23,000 square metres to a maximum of 37,000 square metres;

b) A COMMUNITY SHOPPING CENTRE will have a gross leasable floor area of 14,000 square metres to a maximum of 23,000 square metres.

c) A NEIGHBOURHOOD SHOPPING CENTRE will have a gross leasable floor area of 1,400 square metres to a maximum of 14,000 square metres.

3.3.1.5 To ensure that any existing or proposed Shopping Centre provides adequate off-street parking, automobile parking areas shall be established in the implementing zoning by-law at the ratio of 5 parking spaces per each 93 square metres of gross leasable floor area.

3.3.1.6 Council shall ensure that new or enlarged Shopping Centres shall not jeopardize the viability of other existing or approved retail centres in the City, in particular, retail development within the area designated by this Plan as Central Area. In this regard, where a new Shopping Centre larger than 14,000 square metres of gross leasable floor area is proposed on lands not designated for a Shopping Centre, or an expansion for an existing Shopping Centre is proposed beyond its present designation, Council shall require the completion of a MARKET STUDY to demonstrate that such viability is not endangered. At the same time, Council shall be satisfied that:

a) Traffic volumes and movements can be safely handled by the existing or proposed road system;

b) Adequate provision can be made to accommodate access by public transit; and,

c) Existing or committed services and utilities are adequate to serve the development.

3.3.1.7 Any proposals for a new "District Shopping Centre" or the expansion of an existing shopping centre into a District Shopping Centre, which is not provided for in this Plan, must be approved by Regional Council in addition to any other government approvals which may be required.

3.3.2 GENERAL COMMERCIAL

3.3.2.1 The General Commercial designation applies to certain existing and proposed areas of individually managed commercial establishments located along highways and arterial roads. General Commercial uses benefit from accessibility and visibility and thereby provide a service to both pedestrian and automobile-borne trade.

3.3.2.2 Land designated General Commercial by this Plan may be used for retail and service shops, offices, financial institutions, automobile sales, service and repair establishments, printing shops, restaurants, hotels, places of assembly and entertainment, commercial marinas, local institutional and community uses and uses similar and accessory to the foregoing including residential dwelling units.

3.3.2.3 Development within existing General Commercial areas will be primarily through infilling and redevelopment in order to consolidate these areas. When considering such infilling and redevelopment proposals, Council shall encourage the joint use of access and shared parking facilities. New General Commercial areas designated by this Plan shall be developed through comprehensive planning in order to ensure the future integration of these areas.

3.3.2.4 Council shall endeavour to maintain or improve the visual amenity and general attractiveness of General Commercial areas, and in so doing shall:

a) Encourage the restoration, rehabilitation or repair of existing store fronts and facades to complement the scale, design and character of other Commercial developments in the area;

b) Encourage the relocation of non-Commercial uses which interrupt the continuity of business frontage, and their replacement with permitted Commercial uses to maximize the retail concentration;

c) Regulate building setbacks to develop and maintain continuity and harmony with adjacent Commercial uses; and,

d) Where substantial redevelopment is proposed, consider the increase in building setbacks to permit wider sidewalks, appropriate landscaping and street furniture to encourage pedestrian movement and improve the shopping environment.

3.3.2.5 Council shall encourage the Region to undertake roadway improvements such as street widenings, channelization, centre left-turn lanes, signalization or any other appropriate measures to improve traffic circulation in General Commercial areas.

3.3.2.6 Notwithstanding the permitted uses as outlined in Policy A.3.3.2.2 of this Subsection, the use of:

a) those lands located on the south-east corner of the intersection of Barton Street and Fruitland Road and designated General Commercial shall be limited to a banquet hall facility and uses accessory and subordinate thereto.

b) those lands located on the east side of Lake Avenue, approximately 220 metres north of King Street and designated General Commercial shall be limited to a Funeral Home, medical and professional offices and uses accessory and subordinate thereto.

c) those lands located on the east side of Centennial Parkway, approximately 157 metres south of Neal Avenue and designated General Commercial, shall be limited to professional offices, laboratories and prescription pharmacies and uses accessory and subordinate thereto.

d) the building located on those lands on the east side of Fruitland Road at its northern terminus and designated General Commercial shall be limited to a restaurant, a private club facility, professional offices or any similar use provided the basic structure and character of this building are maintained.

e) those lands designated General Commercial and located in the north-east corner of the intersection of Pinelands Avenue and the North Service Road shall be limited to sales and service of lawn and marine equipment, lawn and garden centre, personal service shops, convenience commercial retail stores, offices, fruit and vegetable retail outlets, growing and retail sales of greenhouse produce, and uses accessory and subordinate to the above but expressly excluding any residential use. Furthermore, the implementing By-law shall:

   i) prohibit outdoor operations and outdoor display and allow up to 310 square metres of the site for outdoor storage.

   ii) establish controls over the area intended for outdoor storage and the screening thereof.

3.3.2.7 In addition, development and/or redevelopment of General Commercial Uses on lands contiguous to the City of Hamilton along the north side of Queenston Road shall incorporate features such as screening, buffering and landscaping in order to minimize adverse effects on existing and proposed adjoining residential uses.

3.3.3 HIGHWAY COMMERCIAL

3.3.3.1 The Highway Commercial designation applies to those commercial facilities which are primarily designed to serve the travelling public and which rely heavily upon the automobile-borne traffic for their existence. This designation may include automobile service stations, motels, restaurants, small scale local institutional and similar uses including residential units clearly accessory to the principal uses.

3.3.3.2 In order to obtain a high standard of design and landscaping and to ensure adequate building, entrance and parking area locations, any proposal for highway commercial uses may be subject to Site Plan Agreement. In this regard, special attention will be given to ensure compatibility with adjoining non-commercial uses. A detailed site plan and landscaping plan will be required prior to any rezoning, and in this regard screening and buffering in the form of fencing and/or berming, and landscaping is to be provided adjacent to any abutting residential lands to the satisfaction of the City of Stoney Creek and the Ministry of the Environment. Any proposed lighting shall be directed away from abutting residential properties.

3.3.3.3 It is intended that Highway Commercial uses be grouped in order to curtail scattered commercial development along roads. Highway Commercial locations shall be readily accessible from major roads and be limited in number and only permitted where they would not create a hazard to vehicular and pedestrian traffic.

3.3.3.4 Proposals to designate additional lands Highway Commercial will be given consideration only if they are situated on Arterial Roads or Provincial Highways as identified on Schedule "D" of this Plan.

3.3.3.5 Notwithstanding the foregoing, those lands located in the northeast quadrant of the Queen Elizabeth Way and Fifty Road interchange and designated Highway Commercial shall only be used for facilities for the travelling and vacationing public including such uses as hotels; motels; restaurants including an accessory bar or tavern; farmers' market; fruit or vegetable stand; garden centre; a wine shop; a marine brokerage office; tourist information centres; marine equipment and accessories sales and service; automotive service station including propane service; one provisioner's outlet; laundromat and uses accessory and subordinate to any previously-mentioned permitted use. Any development of these lands for any of the above-noted permitted uses shall be subject to the following requirements:

a) The ultimate development based on the above-noted uses is dependant upon the availability of full urban services to be provided in accordance with the appropriate municipal capital works programs. Such full urban services are presently not available; however, highway commercial uses which can be accommodated safely with on-site private services approved by the Regional Health Unit may be permitted until full services are available.

b) Appropriate Engineering studies will be required to demonstrate that adequate on-site private sewage disposal facilities can be accommodated to the satisfaction of the Region.

c) The Zoning By-law implementing the development of these lands shall restrict the use thereof to those permitted uses which can be accommodated safely with on-site private services approved by the Regional Health Unit. Upon this property being provided with full urban services, the implementing Zoning By-law will permit the full range of permitted highway commercial uses as described in this Policy A.3.3.3.5.

d) Prior to rezoning these lands to accommodate any permitted use, storm drainage facilities satisfactory to the City Engineer and the Hamilton Region Conservation Authority shall be provided.

e) Prior to rezoning these lands to accommodate any permitted use, the proponent shall demonstrate how acceptable surface water quality standards will be maintained to the satisfaction of the City of Stoney Creek and the Ministry of the Environment.

3.3.4 LOCAL COMMERCIAL

3.3.4.1 The Local Commercial category applies to commercial establishments serving the daily retail needs of surrounding residents, and which uses are primarily dependent upon pedestrian access. In this regard, Local Commercial means land used for retail stores, personal service shops, professional offices and similar commercial uses of essentially a neighbourhood nature, including residential units as accessory uses.

3.3.4.2 Local Commercial uses are permitted within the Residential land use designation indicated on Schedule "A" of this Plan. In the consideration of proposals for local commercial uses, Council shall be guided by the applicable policies of this Subsection and other relevant policies of this Plan. In addition, local Commercial uses in the West Mountain Area Planning District shall comply with the Secondary Plan provisions for this area.

3.3.4.3 In keeping with the intention that Local Commercial facilities are to serve local neighbourhood areas only, the maximum gross leasable floor area of any individual commercial establishment shall be 466 square metres and the maximum gross leasable floor area of any group of local commercial uses shall be 1400 square metres.

3.3.4.4 The development of Local Commercial areas will be based on site plan control, in accordance with the provisions of Subsection F.6 of this Plan, and by appropriate clauses in the Zoning By-law in order to minimize the effect of such areas on the adjacent residential areas. When applications are submitted for such development the following criteria shall apply:

a) Adequate buffering shall be provided between neighbourhood commercial developments and adjacent residential properties. Such buffering may include the provision of fencing, grass strips and appropriate planting of trees and shrubs.

b) Encouragement shall be given to the location of Neighbourhood Commercial uses in groups, where convenient access to a collector or arterial road is provided. Not more than two such groups in any one residential neighbourhood shall be permitted.

3.3.4.5 In considering the specific location of a Local Commercial area, Council shall have regard to the following:

a) The compatibility of the proposed use and its effect on surrounding area;

b) The physical suitability of the site for the proposed use; and,

c) The location in respect to:

   i) the adequacy of the established and proposed street system, utilities and municipal services;

   ii) the convenience and accessibility of the site for both vehicular and pedestrian traffic;

   iii) the location of other existing and proposed commercial facilities, and,

   iv) local Commercial areas shall be developed so as to minimize their effects on adjoining residential uses and to blend in with the character of the residential area.

SUBSECTION A.4

INDUSTRIAL - BUSINESS PARK

4.1 OBJECTIVES

4.1.1 To ensure that the City will remain a viable industrial centre by preserving and enhancing the existing industrial base.

4.1.2 To promote new industries to locate in the City Industrial-Business Park by providing a substantial amount of additional serviced industrial lands and an attractive atmosphere for industrial growth.

4.1.3 To diversify the City's existing industrial base by permitting a broad range of industrial uses.

4.1.4 To minimize the adverse effects associated with industrial operations.

4.2 POLICIES

4.2.1 The primary uses permitted in the area designated on Schedule "A" as INDUSTRIAL - BUSINESS PARK shall be for manufacturing, the processing of raw materials or goods, repairing and servicing operations, warehousing and storage, and transportation terminals.

In addition to the foregoing, the following uses may be permitted in this designation:

a) service industries such as contractors' depots, and welding or printing shops;

b) offices ancillary to industrial uses;

c) limited commercial operations primarily serving industry and industrial employees rather than serving the community as a whole, as well as commercial uses ancillary and incidental to industrial uses including showrooms;

d) health and recreational facilities primarily serving industrial employees;

e) trade schools and research establishments; and,

f) such uses which are compatible to industry and/or provide a service to industry and do not interfere with or detract from the primary function of the area.

4.2.2 Generally, development shall be permitted only when full urban services are available. However, Council may permit some "dry" industries that do not use processed water in their operation to be located on individual private sewage disposal systems provided that:

a) they are eventually connected to the sanitary sewage system upon its installation;

b) no building permit should be issued unless it is demonstrated that the plumbing system of the proposed building can be connected to the future sanitary sewer; and,

c) the Regional Health Unit approves of the private sewage disposal system.

4.2.3 No development shall be permitted until Council is satisfied that adequate storm drainage provisions are available to accommodate the proposed development in accordance with the applicable provisions of Subsection D.1.2. Surface drainage controls shall be applied to reduce storm water runoff increases and sedimentation which could result from industrial development.

4.2.4 Council shall ensure that an adequate supply of vacant, serviced and pre-zoned industrial lands is available to meet the industrial market requirements.

4.2.5 New industrial uses in accordance with the policies of this Plan will be permitted provided that the proposed uses comply with all Provincial standards with respect to the emission of sounds and vibrations, permissible concentration of air contaminants such as dust, smoke, fumes and odours, water quality control and also waste control. However, in order to reduce industrially-related detrimental effects upon the environment, industries shall be prohibited which involve noxious chemical processes or noxious processes involving animal parts. In addition, where metal smelting or metal refining is a principal use, then such use shall be prohibited. Where new industrial uses are proposed, the City shall consult the Ministry of the Environment in regard to that Ministry's relevant requirements and standards, and to enable assessment of the proposed industrial operations in terms of the environmental characteristics specified above.

4.2.6 Council shall endeavour to improve the visual amenity and general attractiveness of the industrial area and in so doing:

a) shall require individual development proposals to provide appropriate landscaping and site specific design;

b) shall regulate building locations to develop and maintain continuity and harmony with adjacent industrial uses.

c) shall encourage the relocation of non-compatible uses.

4.2.7 A variety of industrial development will be promoted while reducing potential conflicts with non-compatible uses on lands not designated for industrial uses by this Plan. In this respect, development of the Industrial - Business Park shall be based upon the following locational criteria.

a) Prestige industrial uses will be encouraged to locate adjacent to the South Service Road, and on lands adjacent to the Winona Urban Community;

b) Industrial uses requiring outside storage or transport terminal facilities are to be located away from the Industrial designation boundary roads and preferably be adjacent to the lands of the Canadian National Railway.

c) Industrial development along Barton Street is to be restricted to Small Scale and Light Industrial Uses.

4.2.8 Council shall ensure that non-industrial permitted uses abutting industrial development are protected from any adverse effect through the provision of adequate separation, screening, barriers, fencing and landscaping or other similar measures.

4.2.9 In considering the specific location of commercial uses along Barton Street Council shall have regard to the following:

a) the effect of the commercial use on the traffic function of Barton Street, and whether on this basis the commercial use should be located elsewhere;

b) measures be taken to protect the traffic functions on Barton Street; and

c) the grouping of commercial uses to avoid over-commercialization of the Barton Street frontage and to establish and maintain the industrial character of the area.

4.2.10 Council may encourage and, where feasible, assist in the relocation of uses not permitted in areas designated for Industry and in the relocation of existing industries located outside of Industrial-designated areas into such areas.

4.2.11. Where a property is designated Industrial-Business Park and the property is occupied by a legal non-conforming use, such a legal non-conforming use must cease prior to the establishment of the legal use intended by the Plan in accordance with the relevant policies of Subsection F.5 of this Plan.

4.2.12 Traffic generated by Industrial uses will be prohibited from penetrating designated Residential areas.

4.2.13 Signs in Industrial areas will be regulated by appropriate by-laws in order to avoid conflicts with effective traffic control and the general amenity of the area.

4.2.14 In order to enhance the viability of Industrial areas, Council, where feasible and deemed appropriate, may encourage and assist the appropriate authorities to establish and/or maintain the accessibility of Industrial areas through the provision of highways, arterial roads, rail, and public transit services.

4.2.15 Site Plan Control will be applied to any industrial development in accordance with the provisions of Subsection F.6 of this Plan, in particular for industrial development adjacent to lands designated for Residential uses and Hazard Lands.

4.2.16 Council shall co-operate and support the Regional Economic Development Department and/or other related agencies for the active promotion of industrial lands within the City.

SUBSECTION A.5

INSTITUTIONAL

5.1 OBJECTIVES

5.1.1 To recognize Institutional Uses under the jurisdiction of local Boards or public and private agencies as valuable community assets.

5.1.2 To encourage the location of new Institutional Uses within the City in accordance with the needs of the residents.

5.2 POLICIES

5.2.1 The primary uses permitted in the areas designated on Schedule "A" as INSTITUTIONAL shall be for establishments of cultural, educational, health, welfare, religious or governmental activities and related uses. Residential uses clearly necessary and ancillary to such institutional uses may also be permitted.

5.2.2 Schedule "A" the General Land Use Plan shows the lands designated Institutional except for "local type" institutional uses. Local type small scale institutional uses such as elementary schools and places of worship primarily serving the immediate needs of the surrounding residents are permitted within other relevant land use designations. Their location shall be guided by the policies of the respective designations and the relevant Secondary Plan policies of this Plan.

Lands intended for Institutional purposes within the Central Area are not indicated on Schedule "A". Such Institutional uses shall be subject to the policies of Subsection A.2 Central Area and the relevant Secondary Plan policies of this Plan.

5.2.3 Institutional uses other than those of a local type are to be located along highways or arterial roads, near transportation facilities, and be centrally located to the population to be served. Accordingly, such uses are to be prohibited within the interior of neighbourhoods.

5.2.4 Institutional uses shall be preferably located on sites adjacent to other Institutional uses, open space areas and/or commercial uses to permit the sharing of parking, driveways and other facilities.

5.2.5 Local type Institutional Uses may be permitted in an area where a proven need has been identified and where, to the satisfaction of Council, the location and integration of such a use with established or proposed development is acceptable. In addition, local type Institutional Uses, except public and separate schools, may be permitted to locate in areas designated by this Plan for Commercial Uses in accordance with the provisions of Subsection A.3 of this Plan.

5.2.6 In the site design of Institutional Uses, the following policies shall be implemented:

a) sufficient off-street parking and loading will be required with particular consideration for their effective location on-site, appropriate buffering, efficient landscape treatment in order to effectively screen the development from surrounding uses;

b) adequate provision is to be made for access by populations with special needs such as the physically disabled and senior citizens.

5.2.7 Where an Elementary School site shown on a Secondary Plan is deemed surplus to the needs of the relevant School Board, such a site may be developed for alternative uses in accordance with Policy A.1.2.14 of this Plan.

SUBSECTION A.6

THE WINONA URBAN COMMUNITY

6.1 OBJECTIVES

6.1.1 To permit limited new residential development based on full urban services.

6.1.2 To maintain the existing low density small community character of the area.

6.2 GENERAL POLICIES

6.2.1 The primary uses permitted in the area designated on Schedule "A" as the WINONA URBAN COMMUNITY shall be for single family detached dwellings and apartment units as identified in the relevant Secondary Plan policies of Subsection A.13.2. Uses that are deemed necessary to serve adequately the needs of local residents and the surrounding area and which are compatible with surrounding development may also be permitted provided they comply with the Secondary Plan provisions of this Plan. Such uses include but are not limited to:

a) Limited individual or groups of local commercial uses (excluding Automobile Service Stations), in accordance with the Local Commercial policies and General Provisions set out in Subsection A.3 of this Plan;

b) Neighbourhood Parks primarily designed for local use in accordance with the relevant policies of Subsection A.7;

c) Churches, day nurseries, and similar small scale institutional uses designed primarily to serve the local area; and,

d) Elementary Schools.

6.2.2 New development with the exception of infilling lots of a size to accommodate an appropriate disposal system, shall only be permitted if municipal sanitary and storm sewers and water supply systems are available. Storm drainage must be provided in accordance with the relevant storm drainage policies of Subsection D.1.2 and the secondary plan policies of Subsection A.13.2 of this Plan.

6.2.3 Where any non-residential use abuts a residential use, Council shall ensure that adequate buffering, screening, landscaping and off-street parking is available in order to reduce potential conflicts between the different uses.

6.2.4 Home occupations as defined by this Plan may be permitted within the Winona Urban Community in accordance with Policy A.1.2.22 of this Plan.

6.2.5 Site Plan Control may be applied to any development other than low density residential uses in accordance with the provisions of Subsection F.6 of this Plan.

6.2.6 In accordance with the provisions of Subsection F.3 of this Plan, future development and/or redevelopment within the Winona Urban Community shall comply with the relevant Secondary Plan provisions of this Plan.

SUBSECTION A.7

OPEN SPACE

7.1 OBJECTIVES

7.1.1 To ensure the provision of sufficient outdoor recreational areas to meet the needs of existing and future residents of the City and to create an attractive and integrated system of parkland.

7.1.2 To preserve and conserve scenic open space areas, ecologically-significant natural features, lands that may be endangered by various hazards and other significant attributes of the natural landscape.

7.2 POLICIES

7.2.1 The primary uses permitted in the areas designated OPEN SPACE shall be for open space uses such as active and passive parks, public or private recreational uses basically of an open space nature, cemeteries, marinas, wood lots, conservation and wildlife management areas, fishing reserves and hazard lands. Other uses which are ancillary and support the primary use, such as food concessions, boat fuel and supply outlets and fishing charters, may also be permitted provided such uses will not interfere or destroy the essentially "open space" nature of the land.

7.2.2 Schedule "A" the General Land Use Plan shows the lands designated for Open Space except for Neighbourhood Parks. The location and distribution of Neighbourhood Parks shall be identified through Secondary Plans.

7.2.3 Land intended for Open Space purposes within the Central Area are not indicated on Schedule "A". Such Open Space uses will be subject to the relevant policies of this Subsection as well as the detailed policies of Subsection A.2, Central Area.

7.2.4 This Plan recognizes the following classification and standards for land intended for public recreational Open Space purposes. Council shall be guided by this classification in the preparation of Secondary Plans where applicable and by the relevant Community Services policies of Subsection E.6:

a) NEIGHBOURHOOD PARKS to serve the local neighbourhood needs of an area of approximately 2500 - 5000 persons at a ratio of 1.0 hectare per 1,000 people but any one site shall have a minimum area of 1.6 hectares. The population to be served by neighbourhood parks shall be approximately within 0.4 km. to 0.8 km. of the park for unorganized use and may also serve a wider area for organized purposes;

b) COMMUNITY PARKS to serve an area of approximately 20,000 persons at a ratio of 1.0 hectare per 1,000 people but any one site shall have a minimum area of 6.0 hectares. The population to be served by community parks shall be approximately within 2.0 km to 4.0 km of the park but may also serve a broader area;

c) DISTRICT PARKS to serve the sub-regional needs of an area of approximately 30,000 persons in a ratio of 0.4 hectare per 1,000 people but any one site shall have a minimum area of 10 hectares; and,

d) SPECIAL PARKS AND AREAS with unique natural features or facilities to serve the entire municipality. Special Parks and Areas may include but not be limited to conservation areas, camping areas, trails, horticultural centres, golf courses, ski areas and water bodies.

7.2.5 Through a regularly updated RECREATION MASTER PLAN, Council shall monitor and identify any existing or future areas of parkland deficiency within the City. In this regard, Council shall endeavour to alleviate any such deficiency through a suitable programme of land acquisition to ensure that an adequate level of open space recreational services and facilities are provided.

7.2.6 Additional lands for Open Space purposes within the City of Stoney Creek will be acquired in accordance with the provisions of Subsection F.8, "Municipal Land Acquisition":

7.2.7 Recreational-oriented development within areas designated as Open Space will be developed so as to complement the natural environment.

7.2.8 Council shall attempt to integrate Open Space Areas wherever feasible and practical through development of a system of pedestrian walkways and bicycle paths.

7.2.9 Council shall co-operate with the various Conservation Authorities to ensure the protection and maintenance of Conservation Areas for wildlife management and other suitable uses, where appropriate.

7.2.10 Where land designated Open Space is under private ownership, it is not intended that this land will necessarily remain so designated indefinitely, nor will this plan be construed as implying that these areas are free and open to the general public. In this respect, when an application is made requesting a change of land use for such lands and the Municipality or other public agency does not wish to purchase the lands in order to maintain the Open Space, due consideration shall be given by Council to the most desirable use.

7.2.11 In areas intended for Open Space uses in the vicinity of the Lakeshore, Council, where feasible and desirable shall co-operate with the Provincial Ministries, Hamilton Region Conservation Authority and/or other relevant agencies in their efforts to establish recreational facilities and a functional water oriented open space network.

SUBSECTION A.8

ESCARPMENT NATURAL AREA

8.1. OBJECTIVE

8.1.1 To preserve and protect the significant natural attributes of the Niagara Escarpment area.

8.2. POLICIES

8.2.1 The primary uses permitted in the area designated on Schedule "A" as ESCARPMENT NATURAL AREA shall be for natural forest, wildlife conservation areas, hiking trails, nature viewing areas and passive public parks. Accessory buildings and facilities necessary to support the permitted uses and site modifications required to accommodate such buildings or facilities may also be permitted.

8.2.2 This designation may also permit essential transportation and utility facilities provided that their adverse impact on the natural environment can be minimized.

8.2.3 Council shall support the efforts of the Conservation Authority and the Niagara Escarpment Commission, to preserve and maintain the unique natural attributes of the area.

8.2.4 Council recognizes the Niagara Escarpment Plan and supports its intent to preserve and enhance the Escarpment Natural Area.

8.2.5 It is intended that the Niagara Escarpment Natural Area be maintained undisturbed in a natural setting primarily for conservation and compatible recreational activities. In this regard, Council shall ensure that recreational-oriented development permitted by this designation is designed to complement the natural environment and further, that any detrimental effects of such uses on the Escarpment's scenic qualities are kept to a minimum.

8.2.6 Council may investigate and support the provision of walkways along and across the escarpment in order to permit pedestrian movement.

8.2.7 Council shall only support those essential developments which will not detract from the unique visual and scenic qualities of the scarp face or base of the escarpment.

8.2.8 Nothing in this Subsection will prohibit any existing use, building or structure from continuing to exist as it was on the date of the adoption of this Plan. However, any proposal to expand or alter or change an existing use, establish a new accessory use, building or structure, or erect a single family dwelling upon an existing vacant lot, must be compatible with the provisions of this Subsection and other appropriate sections of this Plan.

8.2.9 New lots may be created only for the purpose of correcting property boundaries, enlarging existing lots for the purpose of better sewage disposal systems or for acquisition by a public body in accordance with the relevant provisions of Section 'C' of this Plan.

8.2.10 Council shall co-operate with the related Authority in the production of guide plans and/or management programs for the escarpment to preserve, improve and stabilize its amenities.

SUBSECTION A.9

AGRICULTURAL

9.1 OBJECTIVES

9.1.1 To provide an efficient pattern of land use which promotes the growth of a viable agricultural industry as a producer of food, a source of employment and as an important component of the City's economic base.

9.1.2 To provide maximum protection to natural resources especially prime agricultural lands which are to be kept for agricultural production.

9.1.3 To minimize the negative effects of non-farm related uses on the agricultural environment and to minimize the need for Municipal physical services.

9.1.4 To protect and enhance the natural amenities, character and lifestyle of the agricultural area.

9.2 GENERAL POLICIES

9.2.1 The primary uses permitted in areas designated as AGRICULTURAL on Schedule "A" the General Land Use Plan shall be for farming, animal husbandry, greenhouses, nurseries, apiaries, poultry farms, forestry, horticultural research centres and uses similar to the foregoing, including farm residences and workers' accommodation. The construction of a single family dwelling on existing vacant lots with public lot frontage may also be permitted provided that the lot is of sufficient size to accommodate a septic disposal system and private water supply.

9.2.2 This designation may permit small commercial and industrial uses necessarily in close proximity to farm operations and directly related to the agricultural community such as farm implement dealerships, fertilizer and chemical sales and grain milling operations. Low intensity passive type recreational and related uses in accordance with Policy A.9.3.1.3 of this Subsection may be permitted. A limited number of small scale institutional uses serving the farming community may also be permitted in consultation with the Ministry of Agriculture and Food. Uses permitted by this policy shall be located and developed so their negative effects on surrounding uses will be minimized and will not interfere with the expansion of farming operations. In considering the appropriateness of the uses permitted by this policy, Council shall have regard for the relevant policies of this Plan and the following:

a) the need to locate the use in the Agricultural Area in view of alternate suitable locations within the urban area designated elsewhere by this Plan;

b) the physical suitability of the site for the use proposed;

c) the suitability of the land for agricultural purposes;

d) the necessity of the proposed use to serve the needs of the agricultural community;

e) the adequacy of facilities to service and accommodate the intended use such as roads, private sewage disposal system and ground water supply;

f) the long term effect of the proposed development on the natural capability of the land to provide a potable source of water and to safely accommodate the disposal of sewage;

g) the compatibility of the use with the agricultural open space character of the area and with nearby agricultural operations, and in consultation with the Ministry of the Environment, the potential for environmentally based conflicts with existing and proposed nearby residential, institutional, and other sensistive land uses; and

h) the logical extension or/and infilling of existing development.

9.2.3 Uses for Government purposes, water filling stations, utilities and communication facilities, provided that their effect on agriculture is minimized, may be located in this area. None of the provisions of this subsection shall preclude the use of land for municipal purposes.

9.2.4 In addition to the foregoing, those areas identified on Schedule 'B' as "Mineral Resource Protection Areas" are to be protected for present and future extractive purposes in accordance with the provisions of Subsection B.4 of this Plan.

9.2.5 Lands on which there are or could be established viable agricultural operations shall be protected from unnecessary non-farm related development. Land uses included in this designation that are not directly related to the utilization of the soil for farming purposes shall be directed to locate on soils of lesser agricultural capability and/or on the least productive portion of a farm holding.

9.2.6 Council shall ensure the preservation of PRIME AGRICULTURAL LANDS (lands classified as Classes 1 to 4 inclusive of the Canada Land Inventory of Soil Capabilities) and SPECIAL CROP AREAS (lands where soils and/or climate can support the production of speciality type crops) for agricultural production. In this respect, where pockets of lesser classes of agricultural lands intermingle with Classes 1, 2, 3 and 4, they are still considered as prime agricultural lands.

9.2.7 Every endeavour will be made to encourage the retention of farms in large units to provide as broad an economic land base as possible. In this respect, the unnecessary division of viable farms shall be prevented.

9.2.8 Conflicts between agricultural and non-agricultural land uses shall be reduced to the greatest extent practicable. Any person proposing the establishment or expansion of an intensive livestock farming operation will be encouraged to seek guidance from the Ministry of Agriculture and Food, and to make application to the Minstry of the Environment for a Certificate of Compliance pursuant to the Agricultural Code of Practice before commencing construction.

9.2.9 Notwithstanding the permitted uses of this Subsection, those lands in the vicinity of the NIAGARA ESCARPMENT NATURAL AREA shall not be developed so as to have a detrimental effect upon the visually and environmentally significant features of the Escarpment in accordance with the provisions of the Niagara Escarpment Plan.

9.2.10 Existing non-farm uses that are compatible with the area and/or necessary for the rural community, may be recognized in the implementing Zoning By-law in accordance with the provisions of Subsection F.4 of this Plan. The expansion of such uses shall only occur where it can be demonstrated that the relocation of the use to the urban area of Stoney Creek is not practical and provided the City is satisfied that the expansion is desirable and consistent with Subsection F.5 and other relevant policies of this Plan.

9.2.11 The severance of lands designated Agricultural by this Plan including the subdivision of land for new residential uses shall be subject to the policies of this Subsection, the general consent policies of Subsection C.1, the rural consent policies of Subsection C.3 and the relevant policies of the Regional Official Plan.

9.3 SPECIFIC POLICIES

In consideration of the differences between the Agricultural area generally south of the Niagara Escarpment, namely the EAST MOUNTAIN AREA and the Agricultural area generally north of the Niagara Escarpment, namely the FRUITLAND AREA, the following policies are to be applied to these respective areas in addition to the foregoing policies:

9.3.1 EAST MOUNTAIN AREA:

9.3.1.1 The preservation of prime agricultural lands for agricultural activities on a long term basis with a minimum of disruption from non-compatible land uses is to be encouraged.

9.3.1.2 The conservation of existing woodlot areas and the planting of wind breaks are to be promoted where practical because of the benefit from forests and trees as erosion control and climate moderators. Further, reforestation projects are to be encouraged.

9.3.1.3 Council may permit non-farm related open space uses of an extensive nature such as picnic grounds, private parks and fishing reserves, provided that such uses will result in the land being retained for future agricultural uses and such uses:

a) are located on agricultural lands of lesser capability for agriculture;

b) leave the land in large parcels suitable for future farming development when it is needed;

c) are not detrimental to the amenities or character of the rural area;

d) do not require buildings or other major construction on the lands other than the construction of incidental accessory buildings; and

e) do not adversely alter soils or topography.

9.3.1.4 RIDGE ROAD generally west of the lot line between Lots 10 and 11 offers spectacular views of the northern portion of the City. Land uses adjacent to this scenic route shall be such that the views from the road are, as much as possible, unimpeded. In this regard, Council, in the implementing By-law, shall establish minimum lot sizes for any future lot created on that road on an infilling basis in accordance with the relevant policies of this Plan, as well as adequate set-back regulations for any future dwelling.

9.3.2 THE FRUITLAND AREA:

9.3.2.1 Scattered and haphazard residential development has already taken place in this area and it is the policy of this Plan to curtail such type of development.

9.3.2.2 The consolidation of farm land is to be supported wherever possible, thus increasing the available farm land base in the area.

9.3.2.3 The continuation and expansion of existing fruit and vegetable farming as well as greenhouse operations and the establishment of new viable fruit farms is to be encouraged. In this respect, Council may request higher levels of Government for marketing incentives for such farming.

9.3.2.4 Council shall promote the rehabilitation of abandoned orchards and vineyards and if diseased, their removal by the land owner.

9.3.2.5 Highway No. 8 and Barton Street frontage shall be protected from non-farm related uses particularly commercial uses. The implementing By-law may include provisions, however, permitting temporary roadside stands on a seasonal basis for the sale of local grown produce.

9.3.2.6 In accordance with Policy D.1.1.2.4, where full municipal services are provided, limited infilling residential development on existing road frontages may be permitted only by Consent for single family detached dwellings in accordance with Policy C.3.3.4 and other relevant policies of this Plan. Although these areas may be provided with full Municipal services, urban type development is not anticipated within the life of the Official Plan and other than the infilling severances mentioned above, such urban type development will not be permitted. Rural type severances may be permitted, however, in accordance with the applicable rural consent policies of subsection C.3 and other relevant policies of this Plan.

SUBSECTION A.10

RURAL LAKESHORE

10.1 OBJECTIVES

10.1.1 To recognize open space and water-oriented recreational uses to be the predominant function of the Rural Lakeshore.

10.1.2 To recognize existing residential uses and to provide limited residential development opportunities.

10.1.3 To ensure the protection of the Lake Ontario shoreline from erosion.

10.2 POLICIES

10.2.1 The primary uses permitted in the area designated on Schedule "A" as RURAL LAKESHORE shall be for public and private open space and water-oriented recreational uses including but not limited to parks, golf courses, campgrounds, boat houses, marina commercial facilities and uses ancilliary to and supporting the primary uses. This designation also permits limited low density residential development, agricultural uses and compatible uses directly related to and necessary to serve the Rural Lakeshore Community such as churches.

10.2.2 Agricultural uses permitted by this designation refers to specialty fruit and vegetable farming, nurseries, greenhouses and any type of farming use that does not require an extensive land base but livestock, poultry or mushroom farms shall be prohibited.

10.2.3 Council shall ensure that open space and water-oriented recreational development will be designed so as to complement the natural environment.

10.2.4 Council shall endeavour to acquire lakeshore lands where feasible and practical for open space purposes or ensure public access to the lakeshore through easements and/or public rights-of-way in accordance with the provisions of Subsection F.8 of this Plan.

10.2.5 This designation permits the construction of a single family dwelling on an existing vacant lot complying with By-law area requirements, with public road frontage; the enlargement, renovation or repair of any existing dwelling; the rebuilding and replacement of any dwelling which has been damaged or destroyed; and the erection of appropriate accessory buildings so that such lots may continue to be used for residential purposes.

10.2.6 Scattered and haphazard residential development has already taken place in this area. It is intended that this type of development be prevented. Limited new residential uses may be permitted for single family detached dwellings only, either by way of Rural Residential Estate Development or through in-filling land severance.

10.2.7 The severance of land designated Rural Lakeshore shall be subject to the policies of this Subsection, the general consent policies of Subsection C.1, the rural consent policies of Subsection C.3 and the relevant policies of the Regional Official Plan.

10.2.8 A proposal to establish a Rural Residential Estate Development may be permitted in accordance with the following:

a) a development proposal shall be considered only by plan of subdivision on the basis of individual services;

b) the minimum size of each lot to be created shall be 0.6 hectares;

c) proposals shall only be considered where environmentally sensitive areas, conservation and open space areas, areas with recreational features, wood lots and hazard lands will not be adversely affected;

d) proposals should be directed to those areas which are provided with school bus services; and

e) will not be located on areas or interfere with areas that are under active farming.

10.2.9 Notwithstanding the minimum 0.6 hectares lot size requirement for Rural Residential Estate Development of Policy A.10.2.8, for the area bounded on the north by Lake Ontario, the west by Fifty Road, the south by McCollum Road and the east by the property line located approximately 265 meters east of Fifty Road, Rural Residential Estate Development shall have a minimum lot size of 0.4 hectares. Larger lot sizes may be required to accommodate:

a) a safe and effective private sewage disposal system including appropriate setbacks in accordance with the requirements of the Department of Health Services;

b) an area suitable for installation of a replacement or spare disposal system including appropriate setbacks where warranted by the Department of Health Services;

c) provision of erosion control structures and related building setbacks where considered appropriate by the Hamilton Region Conservation Authority and City of Stoney Creek;

d) appropriate setbacks from the Lakeshore to ensure that pollution of lake water will not result;

e) an appropriate dwelling envelope;

f) adequate area for accessory residential uses such as a garage, swimming pool, patio and other appropriate amenities and facilities; and

g) natural recharge of the ground water supply and its preservation as a safe source of potential drinking water where a private well is to be utilized.

10.2.10 The establishment of any permitted use within the area designated Rural Lakeshore other than the replacement, renovation and enlargement of existing dwellings on private roads, may be permitted provided Council is satisfied:

a) that the proposed use will not conflict with adjacent land uses and will be consistent with the general character of the surrounding area;

b) that the proposed use has a safe and convenient access on a public road and located so as to have minimal disturbance on the existing traffic system;

c) that the proposed use meets with the approval of the Regional Health Unit for the disposal of waste in an acceptable manner and that a potable supply of water is available;

d) that the proposed use may have adequate storm drainage facilities to the satisfaction of the City Engineer; and,

e) protective measures will be introduced for adjacent uses including adequate buffering, screening, and fencing in order to ensure compatibility between abutting properties.

10.2.11 All development within the Rural Lakeshore must be in keeping with the objective of protecting the shoreline against flooding and erosion. In this regard, when waterfront properties are developed or redeveloped, onshore protection structures, designed by a competent professional, shall be required to combat erosion in accordance with the provisions of Subsection B.3 of this Plan. On existing lots, individual homeowners shall be encouraged to construct onshore protection when applying for building permits.

10.2.12 As the southern boundary of the lands designated Rural Lakeshore is the Queen Elizabeth Way these lands are subject to higher levels of traffic noise. Accordingly Council shall require any residential development or redevelopment proposal within the Rural Lakeshore to conform to the minimum noise levels as established by the Ministry of the Environment.

10.2.13 In order to achieve quality site development, Council may enter into Site Plan Agreements for any development or redevelopment in accordance with the policies of Subsection F.6 of this Plan.

10.2.14 In order to protect the traffic carrying function of the North Service Road, Council shall discourage direct access to this road and whenever possible require access onto secondary roads in accordance with the provisions of Subsection D.3.1 of this Plan.

10.2.15 Council recognizes that there are a number of private roads within the area designated by this Plan as Rural Lakeshore. It shall, however, be the ultimate goal of Council to incorporate all private roads into the public road system. Accordingly no new development other than the replacement, renovation and enlargement of existing dwellings shall be permitted on a private road until such time as the road has been upgraded and dedicated for public purposes in accordance with the provisions of Subsection D.3.1 "Road Network".

SUBSECTION A.11

RURAL INDUSTRIAL

11.1 OBJECTIVES

11.1.1 To diversify and expand the City's industrial base by permitting dry industrial uses on selected rural locations.

11.1.2 To recognize certain existing and desirable dry industrial uses within the rural area.

11.2 POLICIES

11.2.1 The primary uses permitted in areas designated on Schedule "A" as RURAL INDUSTRIAL shall be for industrial uses which are not dependent on the provision of full municipal services and which are directly related to and serve the agricultural community or utilize the natural resources of the rural area.

Such uses may include but not be limited to manufacturing, processing or storing of goods and raw materials including assembly, repairs, servicing or wholesaling, warehousing and any commercial use auxiliary and secondary to such manufacturing, processing or storing. Commercial uses that are not related to industrial operation and auto wrecking yards are not permitted. This designation may include agricultural uses but shall not include residential uses.

This definition shall include only those abattoirs or commercial slaughterhouses existing at the date of the adoption of this Plan. Such uses will however not be recognized in the implementing Zoning By-law until the Council has received sufficient information and site planning details so as to establish appropriate municipal control.

11.2.2 No development shall be permitted until a satisfactory water supply is available for both domestic and fire protection purposes and until the Regional Health Unit has approved an individual sewage disposal system able to accommodate the proposed use.

11.2.3 Rural Industrial uses shall be situated and developed so as to minimize negative effects on the surrounding agricultural area. In this respect, Council shall consult the Ministry of the Environment upon receipt of a Rural Industrial development application.

11.2.4 Large scale industrial operations which are not enclosed in buildings shall be prohibited.

11.2.5 Industrial development and secondary uses permitted by this designation shall be in accordance with the following provisions:

a) ingress and egress shall be controlled so that traffic related to the use will have a minimal effect on neighbouring uses, especially residential uses.

b) adequate loading facilities and off-street parking must be provided on site.

c) site planning techniques including landscaping, screening, surface treatment and lot lighting shall be employed to achieve attractiveness of the operation.

11.2.6 Council shall endeavour to improve the visual amenity and general attractiveness of the Rural Industrial areas and in so doing shall encourage the relocation of non-compatible uses.

11.2.7 Industrial uses will be permitted provided that the proposed uses comply with all Provincial standards respecting the emission of sound and vibrations and contaminants in the air and Regional requirements relative to water and waste discharge. In this regard, new industrial users may be required to obtain Certificates of Approval from the Ministry of the Environment pursuant to the Environmental Protection Act R.S.O. 1980.

11.2.8 In considering any application to amend the implementing Zoning By-law so as to recognize an existing abbatoir or commercial slaughterhouse as permitted in Policy A.11.2.1 of this Subsection, Council shall:

a) limit the use of the lands to an abattoir and a meat packing operation and uses accessory thereto including an accessory retail outlet;

b) separate the rural industrial use from the surrounding area by a rural buffer and by landscaping and berming;

c) ensure that any redevelopment of the lands shall be in accordance with the requirements of the Ministry of the Environment and the Regional Health Services Department;

d) establish in the implementing Zoning By-law specific setback and lot coverage requirements so as to provide for limited expansion and to minimize any detrimental effects associated with this use; and

e) determine if any development or redevelopment of the lands is to be detailed through a Development Agreement and a Maintenance and Use Agreement in order to ensure that such development or redevelopment will not have a detrimental effect upon the surrounding area.

11.2.9 In the consideration of a new Rural Industrial use or the expansion of an existing use which is not provided for in this Plan, Council shall be guided by the provisions of Policy A.9.2.2, a) to h) inclusive, Policy A.9.2.6 and other relevant policies of this Plan.

SUBSECTION A.12

SPECIAL POLICY AREAS

Due to various concerns of Council, special policies and designations beyond those included in the Land Use Section of this Plan are required. In order to reflect those concerns, SPECIAL POLICY AREAS are identified on Schedule "A" in conjunction with the foregoing policies in this Subsection.

12.1 SPECIAL POLICY AREA "A"

12.1 SPECIAL POLICY AREA "A" as identified on Schedules "A" and "D" is presently under study by the Ontario Land Corporation (OLC). Until such time as the OLC provides a Development Plan for this area to the satisfaction of Council and such plan is incorporated into this Plan as a Secondary Plan by means of an Official Plan Amendment, Amendment No. 70 to the Official Plan of the Hamilton-Wentworth Planning Area (Saltfleet Section) in conjunction with the relevant provisions and policies of Amendment No. 4 to the Official Plan of the Hamilton-Wentworth Planning Area (Saltfleet Section) as amended, and the staging policies of this Plan and the Regional Official Plan, shall apply to this Special Policy Area "A".

12.2 SPECIAL POLICY AREA "B"

12.2.1 SPECIAL POLICY AREA "B" as identified on Schedules "A" and "D" is ultimately intended for urban uses in accordance with the provisions of the Regional Official Plan. However, until such time as appropriate studies are completed to identify a detailed Secondary Plan for this area and such Plan is incorporated into this Plan as an Official Plan Amendment, the relevant Agricultural policies of Subsection A.9 along with other associated policies in Subsections B.2, B.4, B.5, C.1, C.3 and Sections D and F of this Plan shall apply to any development within Special Policy Area "B".

SUBSECTION A.13

SPECIFIC SECONDARY PLANS

In accordance with Subsection F.3 of this Plan, the detailed planning for the distribution and location of various land uses in each Urban-Residential Planning District is to be established in accordance with the following SECONDARY PLANS and other relevant policies of this Plan.

13.1 THE WESTERN DEVELOPMENT AREA SECONDARY PLAN

13.1.1 Schedule A.1 and the policies of this Secondary Plan in addition to other applicable policies of this Plan, constitute the Secondary Plan for the Western Development Area Planning District. It is expected that this Planning District will accommodate an ultimate population of approximately 25,000 persons based on full Municipal services.

13.1.2 In order to preserve and protect the stability of those lands designated Escarpment Natural Area and to protect those residents living adjacent thereto, when reviewing development and/or redevelopment applicaitons Council shall, in conjunction with the appropriate Conservation Authority, establish minimum building setbacks for residential development from the limits of the lands designated Escarpment Natural Area.

13.1.3 Notwithstanding the provisions of Policy A.1.2.9 of this Plan, the maximum height of any building to be erected on the site designated on Schedule A.1 for Medium-High Density residential development at the intersection of Gateshead Crescent and Stoney Brook Drive in the Corman Neighbourhood shall be three storeys.

13.2 THE WINONA URBAN COMMUNITY SECONDARY PLAN

13.2.1 Schedule A.2 and the policies of this Secondary Plan in addition to other applicable policies of this Plan, constitute the Secondary Plan for the Winona Urban Community Planning District. It is expected that this Planning District will accommodate an ultimate population of approximately 3,000 persons based on full Municipal services.

13.2.2 The lands generally located around the intersection of Highway No. 8 and Winona Road and schematically shown on Schedule A.2 are defined as the WINONA CENTRE. This Centre may be used for residential, commercial, institutional, and public uses provided that these uses are in compliance with Policy A.6.2.1 and other relevant policies of this Plan. Such uses included but are not limited to retail stores, proffessional offices, personal service shops, libraries, schools, churches, government and community facilities, and similar uses necessary to serve the community and surrounding area.

13.2.3 New residential development permitted in this Community shall be in keeping with the general character of the surrounding area. In this regard, and notwithstanding the provisions of Policy A.1.2.9(a) of this Plan, residential development in areas designated on Schedule A.2 as Low Density Residential shall be restricted to single family detached dwellings, except in the Winona Centre where a limited number of apartments above commercial uses may be permitted.

13.2.4 Storm drainage poses a significant constraint to development in the Winona Urban Community. In this regard, Council shall be satisfied that development proposals are in compliance with the policies of Subsection D.1.2 of this Plan and that:

a) all new development, with the exception of minor infilling lots along existing roads, shall be provided with full urban storm drainage services including storm sewers, catchbasins, manholes, curb and gutters and storm service laterals;

b) storm sewers shall not be permitted to discharge to natural watercourses unless sufficient capacity is shown to exist and appropriate remedial measures are undertaken to resolve any watercourse erosion or bank instability problems;

c) if runoff increases as a result of development, such development will not be permitted unless it can be demonstrated that no adverse effects such as increased flooding, erosion or sedimentation will occur downstream;

d) roof leaders from residential dwellings shall not be directly connected to the storm sewer. They shall discharge onto the ground in such a manner that flows will not create a nuisance; and

e) foundation drains shall be connected directly to the storm sewer. Where the storm sewer is of sufficient depth, flow shall be by gravity, in all other cases a basement sump pump will be required.

13.2.5 When waterfront properties are developed or redeveloped within the Winona North Neighbourhood, onshore protection structures designed by a competent professional shall be required to prevent erosion in accordance with the provisions of Subsection B.3 "Lakeshore Protection Area". On existing lots, individual homeowners shall be encouraged to construct onshore protection when applying for building permits.

13.2.6 All development proposals within the Winona North Neighbourhood shall be in accordance with the minimum noise level standards of the Ministry of the Environment.

SECTION B

ENVIRONMENTAL PROTECTION

This Section deals with areas of environmental significance within the City which require protection. It includes policy provisions for the Lake Ontario Shoreline, forests and woodlots, environmentally sensitive areas, hazard lands and mineral aggregate resources.

SUBSECTION B.1

ENVIRONMENTALLY SENSITIVE AREAS

1.1 OBJECTIVES

1.1.1 To protect and preserve in their natural state wherever possible, those areas within the City which are ecologically unique and significant.

1.2 POLICIES

1.2.1 Environmentally Sensitive Areas as identified on Schedule "B" refer to areas with unique phsyical environmental features as identified in the Regional Official Plan, In this regard, when development or redevelopment is proposed in accordance with the land use designations identified on the Schedule "A" series upon an Environmentally Sensitive Area or when a request has been received to change the legal use or increase the intensity of an existing use within Environmentally Sensitive Areas, Council shall:

a) advise Regional Council and the relevant Provincial agencies and Conservation Authorities;

b) require that the proponent prepare and submit an Environmental Impact Statement or waiver from the requirements of an Environmental Impact Statement to the satisfaction of both City and Regional Councils;

c) circulate the Environmental Impact Statement or waiver to any relevant public agencies for their review and comments;

d) approve the proposal only when both City and Regional Councils are satisfied that the proposal will not significantly alter the environmental features which formed the basis for the Environmentally Sensitive Area designation; and

e) enter into an agreement with the proponent, if necessary, to ensure the preservation of all or part of the Environmentally Sensitive Area.

1.2.2 An Environmental Impact Statement referred to in Policy B.1.2.1 shall be prepared by a competent professional with expertise in environmental studies and shall contain but not be limited to the following:

a) a statement as to the environmental quality, uniqueness and character of the Environmentally Sensitive Area in which the proposed undertaking is to occur;

b) a description of the purpose of the undertaking;

c) a description of:

i) the environment that will, or that might be expected to be affected, directly or indirectly;

ii) the effects that will or might be expected on the environment; and

iii) the actions that will, or that might be required to prevent, change, mitigate or remedy the effects upon, or the effects that might reasonably be expected upon the environment by the undertaking.

d) a description of alternative methods of carrying out the undertaking; and

e) an evaluation of the advantages and disadvantages to the environment of the undertaking.

1.2.3 The boundaries of Environmentally Sensitive Areas, as shown on Schedule "B", are general in nature and may be redefined as a result of a detailed Environmental Impact Statement without an amendment to this Plan.

1.2.4 When an Environmental Assessment of a proposal is being carried out under the Ontario Environmental Assessment Act, that assessment will be considered as fulfilling the Environmental Impact Plan.

1.2.5 With the concurrence of Regional Council, City Council may waive the requirement for an Environmental Impact Statement when City Council has determined that such a statement is not warranted.

1.2.6 Development of lands abutting Environmentally Sensitive Areas shall be designed in such a manner as not to have an adverse effect upon the Environmentally Sensitive Area.

1.2.7 Council shall support and encourage the acquisition of Environmentally Sensitive Areas by public agencies for their use as natural open space area.

1.2.8 Public access to privately owned Environmentally Sensitive Areas will be at the discretion of the owner and these lands will not necessarily be free and open to the general public.

SUBSECTION B.2

HAZARD LANDS

2.1 OBJECTIVES

2.1.1 To protect life and property by respecting natural hazards and constraints in land use development.

2.1.2 To restrict development on lands susceptible to environmental hazards unless the hazard can be overcome and not further aggravated.

2.2 POLICIES

2.2.1 Hazard lands are lands which, if developed upon, have inherent environmental conditions such as flood susceptibility, erosion susceptibility, instability or any other physical condition which is severe enough to pose a risk to occupants, loss of life, property damage and social disruption.

2.2.2 Hazard lands are identified, in part, by the present flood and fill line mapping of the respective Conservation Authority and the Hazard Land mapping of the Ministry of Natural Resources. Such lands will not be shown outlined on Schedule 'B' until floodlines based on universally acceptable and correct floodline mapping and criteria have been established. When Council is satisfied that lands so identified accurately reflect the existing hazards, then Hazard Lands will be introduced upon Schedule 'B' by way of an amendment to this Plan.

2.2.3 Hazard Lands may be used for those uses permitted by the land use designations contained on the Schedule "A" Series; however, no buildings, structures or fill other than buildings and structures intended for flood or erosion control, or essential utility operations, will be permitted in these areas unless such is approved by the appropriate Conservation Authority.

2.2.4 Prior to the approval of any development or redevelopment upon Hazard Lands, Council and the appropriate Conservation Authority shall be satisfied that the hazard can be satisfactorily overcome and is not further aggravated.

2.2.5 When Hazard Lands are within areas designated Open Space on Schedule "A", "The General Land Use Plan" of this Plan, Council shall encourage and support the acquisition of such lands by public agencies for passive recreational and/or open space uses.

2.2.6 When new development or redevelopment is proposed on a site, part of which lies within Hazard Lands, those Hazard Lands will not necessarily be acceptable as the park land dedication as set out in Subsection F.8 of this Plan.

2.2.7 Those uses located on hazard lands and existing at the time of approval of this Plan may continue to exist, however, any alteration or expansion will be subject to the approval of Council and the appropriate Conservation Authority.

2.2.8 Where development or redevelopment is proposed on lands abutting Hazard Lands, Council shall consult with the appropriate Conservation Agency to determine whether or not building setbacks should be established from the margin of the hazardous area and impose such setbacks where deemed necessary.

2.2.9 On a lot to be created, no portion of a dwelling or tile bed is to be permitted within a distance of 60 metres from any stream, natural watercourse or pond, or 15 metres from a Regional Floodline, whichever is the greater distance; or an appropriate distance as may be established by the appropriate Conservation Authority and the Regional Health Unit.

SUBSECTION B.3

LAKESHORE PROTECTION AREA

3.1 OBJECTIVE

3.1.1 To preserve and protect the Lake Ontario shoreline from erosion.

3.2 POLICIES

3.2.1 In addition to the policies of Section A of this Plan, respecting the various land use designations, the following policies shall be applied to those lands within the Lakeshore Protection Area as identified on Schedule "B" The Environmental Plan.

3.2.2 Any public agency that owns Lake Ontario shoreline property shall be encouraged by Council to construct adequate shore protection works.

3.2.3 Council shall require, in conjunction with new development, adequate shoreline protection for the preservation of the Lakeshore environment against erosion or pollution to the satisfaction of the Ministry of the Environment and the Ministry of Natural Resources.

3.2.4 Council recognizes the role of the various Provincial and Federal Ministries and the Hamilton Region Conservation Authority within the Lakeshore Protection Area through various Acts, Statutes and Regulations. Accordingly, where Council approval within the Lakeshore Protection Area is required for any development or redevelopment, including shore protection works, Council shall require the proponent to submit the relevant permits, licences or approvals prior to giving final Municipal approval.

3.2.5 All shore protection works shall be designed so as not to have a detrimental effect upon abutting properties by increasing their erosion rate. In this regard, Council may require, prior to granting final Municipal Approval, a detailed study by a competent professional to ensure that additional erosion of abutting properties does not occur. Council may circulate such a study to any relevant public agency for their comments and approval.

3.2.6 Council shall support and encourage the joint efforts of individual property owners to construct on-shore protection works. In this regard, Council may assume an active co-ordinating role in consultation with the relevant public agencies.

3.2.7 In order to create an open space effect along the shoreline, a portion of the land extending from the high water mark, in addition to any requisite shore protection works, is to be used only for water oriented recreation facilities, open space uses, private recreational uses or similar uses. Accordingly, the implementing Zoning By-law shall establish a minimum setback from the top of the bank of approximately 20 metres for low density residential and accessory uses, and approximately 30 metres for all other uses where lakeshore protection works have been installed. In circumstances involving existing development, the redevelopment of existing lots and new development on existing lots of record which are appropriately zoned and where shoreline protection works are not installed, the minimum setback shall be as above or as determined in consultation with the appropriate authority but in no case be less than 50 times the average annual erosion rate for the area.

3.2.8 In order to implement appropriate lakeshore protection measures and to achieve a high standard of architectural and visual quality, Council may enter into Site Plan Agreements as a condition of approval for any development proposal within the Lakeshore Protection Area. However, Council shall require Site Plan Agreements for all development within the area of the Lakeshore Protection Area designated for urban uses. These shall incorporate adequate set backs in accordance with the Regional Official Plan.

3.2.9 Council shall ensure that no development occurs within a defined floodplain unless adequate remedial measures are undertaken to the satisfaction of the Conservation Authority.

SUBSECTION B.4

MINERAL AGGREGATE RESOURCES

4.1 OBJECTIVES

4.1.1 To recognize the value of mineral aggregate resources and to provide for the effective management thereof.

4.1.2 To ensure that extraction occurs with minimal social and environmental costs and to provide for the rehabilitation of the extraction area to a level compatible with the land use designations of Schedule 'A'.

4.2 POLICIES

4.2.1 For the purpose of this subsection mineral aggregate extraction shall include a pit, quarry, wayside quarry and wayside pit as defined by the Pits and Quarries Control Act.

4.2.2 High priority MINERAL RESOURCES PROTECTION AREAS are delineated upon Appendix Map 1 as Mineral Resources Protection Areas. Lands so identified are intended to ensure that Council gives proper consideration to existing aggregate reserves when making planning decisions affecting these areas and will also serve to notify existing and future residents of the potential location for extractive operations.

4.2.3 High priority MINERAL RESOURCES PROTECTION AREAS, as identified on Map No. 1, are to be protected from any land use which is incompatible with extraction or which use could hinder or preclude the availability of the resource. In this regard, notwithstanding the land use designations and respective policies of Section "A" of this Plan, any development proposal within the MINERAL RESOURCES PROTECTION AREAS, for uses other than mineral extraction and those uses consistent with the policies of Subsections A.7 and A.9, may only be permitted when Council is satisfied that:

a) the extraction is not feasible due to quality, quantity or other development constraints;

b) the need for the land use or activity outweighs the value of the mineral resource; or

c) extraction would be incompatible with the surrounding area or is precluded by existing development.

Should a development proposal be given favourable consideration under any of the above criteria, then whenever practical extraction is to be encouraged prior to or in conjunction with the development of the land.

4.2.4 Existing and licenced pits and quarries are shown outlined on Schedule 'B'. Notwithstanding the land use designations and respective policies of Section 'A' of this Plan, these existing aggregate operations may continue to exist and operate and shall be appropriately zoned in the implementing By-law. As well, Council shall wherever practical and in consultation with the appropriate authority protect these existing operations from incompatible land uses. Extensions to such existing operations may be permitted without an amendment to this Plan but such extensions shall be subject to the relevant provisions of this Subsection concerning the establishment of a new extraction operation and are to be appropriately zoned in the implementing Zoning By-law.

4.2.5 A wayside pit or wayside quarry may be permitted in any land use designation without an amendment to this Plan or to the implementing Zoning By-law.

4.2.6 The establishment of any new pit or quarry other than a wayside pit, wayside quarry or the extension of an existing aggregate operation will require an Official Plan Amendment. In this regard, any application to amend the Plan shall be accompanied by detailed plans and submissions which shall include but not be limited to the following:

a) the location of the site including all dimensions, topography, existing elevations and any natural features found on the site;

b) the location and use of all lands and buildings within 150 metres from the boundaries of the proposed site;

c) the proposed use of the site detailing the limits of extraction, proposed depth of extraction, sequence of extraction, location and use of all buildings and structures, internal roads and points of access.

d) the location of all existing wells within 150 metres of the proposed site, water table on site relative to proposed depth of extraction and the effect of the proposed extraction upon the water table in the area;

e) detailed landscaping plans including berming, fencing and screening;

f) proposed haulage routes for the off-site distribution of the aggregate; and,

g) rehabilitation plans including sequence of rehabilitation and final restoration schemes.

4.2.7 In considering any application to establish a new pit or quarry or extend an existing operation, Council shall have regard for the following:

a) no extraction will be permitted within an Environmentally Sensitive Area as shown on Schedule 'B' or a Woodlot as defined in Subsection F.13 of this Plan. In addition, extraction adjacent to an Environmentally Sensitive Area may only be permitted where the results of an Environmental Impact Statement indicate that the Area will not be adversely affected by the extraction operation. Any mitigating measures as outlined in the Environmental Impact Statement including a suitable buffer will be required where extraction is proposed adjacent to these areas;

b) a sequence of extraction and consequent rehabilitation is to be encouraged which would have the effect of minimizing the amount of land disturbed at any one time;

c) the effect of the proposed extractive operation on the hydrology of the surrounding area, including on-site drainage and treatment of waste water and the effect of the operation on adjacent areas;

d) the effect of the proposed extractive operation on the roads and traffic patterns in the area.

e) no extraction will be permitted on Specialty Crop Lands or on lands classified as being Classes 1 to 3 of the Canada Land Inventory of Soils Capabilities unless the Ministry of Agriculture and Food is satisfied that the site can be rehabilitated for agriculture to allow production of the same area and at the same level of productivity.

4.2.8 Council shall co-operate with the proper road authorities in order to determine the most appropriate haulage routes and points of access for mineral extraction operations.

4.2.9 Prior to Council's enactment of any Zoning By-law which would permit the establishment of a new pit or quarry or the extension of an existing operation, the proponent will be required to enter into a Development Agreement with the Municipality. Such agreements shall detail the following and any other applicable measures intended to reduce the environmental impact of such extractive operation:

a) a sequence of extraction and consequent rehabilitation which would have the effect of minimizing the amount of land disturbed at any one time;

b) screening, fencing, berming and landscaping, including the maintenance thereof;

c) appropriate setbacks from roads and abutting property lines to pit face:

d) hours of operation and methods of operation including blasting details and techniques;

e) dust and noise suppression methods; and,

f) traffic routes and access points.

4.2.10 The implementing Zoning By-law shall establish a zoning category which will permit extractive industrial operations. As well, those primary activities normally associated with aggregate processing such as stone crushing, screening, aggregate washing, storage, truck parking and repair facilities shall also be permitted within this zoning category. Ancillary activities often associated with aggregate extraction but not primary in nature such as ready mix, asphalt and construction materials plants shall not be pre-zoned and may only be established on a site specific basis through a Zoning By-law amendment. The policies of this Plan intended to guide the establishment of new pits and quarries shall apply to any amendment to the Zoning By-law proposing to establish such ancillary uses.

4.2.11 All mineral aggregate extraction sites shall be rehabilitated and restored to an acceptable level which will be compatible with the intended land use as identified on Schedule 'A'.

4.2.12 In order to minimize the effect of the proposed extraction on the surrounding area Council may, if warranted, request the Ministry of Natural Resources to limit the duration of extraction as a condition of license approval.

SUBSECTION B.5

FORESTS AND WOODLOTS

5.1 OBJECTIVE

5.1.1 To conserve and maintain sufficient forested areas and woodlots for the purpose of recreation, wildlife habitat, alternative energy source, erosion control and the maintenance of an aesthetic landscape within the City.

5.2 POLICIES

5.2.1 Council shall:

a) Encourage private landowners to request the Ministry of Natural Resources or the appropriate Conservation Authority to assist in the management of their woodlots.

b) Discourage subdivision development and land severance in municipal agreement forests, Woodland Improvement Act forests, forests and woodlots and plantations in consultation with the Ministry of Natural Resources.

c) Promote the expansion of forest cover on land suitable for this purpose and in this regard will endeavour to plant vacant municipal lands for such purposes.

d) Encourage the maintenance and enhancement of forest cover along stream banks and river valleys.

5.2.2 Where Subdivision Development is proposed within a woodlot, special care and design shall be taken to preserve as many trees as possible in accordance with Policy E.4.2.2 of this Plan. In this regard, Council may require the proponent to submit a detailed site plan indicating building envelope, the trees to be removed and those to be preserved.

SECTION C

DIVISION OF LAND

It is intended that the consent policies as set out in this Section be implemented on behalf of the City of Stoney Creek by the Regional Land Division Committee.

SUBSECTION C.1 GENERAL PROVISIONS

1.1 Severances within the City will be given consideration only if the applicant demonstrates that his application for consent is warranted and in conformity with the following provisions:

a) No consent shall be permitted unless the application complies with the policies of this Plan, the Regional Official Plan, and the requirements of the Planning Act. Prior to the issuance of the Land Division Committee's certificate, the consent must conform with the appropriate zoning by-law.

b) Access to Provincial Highways and Regional Roads must conform with access requirements of the Provincial Ministry of Transportation and Communications and the Regional Access By-law.

c) Any lot created shall have direct frontage on a public road of an acceptable standard of construction.

d) Consent for a severance shall not create a traffic hazard.

e) The applicant must prove to the appropriate authority that a sufficient potable ground water supply is available for the intended use of the land prior to the endorsement of the deed by the Secretary of the Land Division Committee.

f) Consent for severances shall be discouraged in Woodlots.

g) Extensions to linear or ribbon development along roadways are to be discouraged.

1.2 A consent may be permitted for minor boundary adjustments or easements.

1.3 Consents within areas which have hazardous conditions such as flooding or steep slopes shall be prohibited except when such Consents are required to allow the undertaking of a necessary public work for flood or erosion control or for watercourse protection or the conservation of land in accordance with the regulations of the appropriate Conservation Authority.

1.4 Consents within Mineral Resource Protection Areas identified on Schedule "B", must comply with the relevant policies of Subsection B.4 of this Plan. Furthermore, such consents will be subject to any separation distance as required by the Ministry of Natural Resources in areas adjacent to existing or proposed mineral aggregate extraction operations.

1.5 Consent to sever will not be permitted in areas identified as Environmentally Sensitive on Schedule "B" if there is a hazardous condition or if the proposed use would detrimentally affect the environmental characteristics of the subject parcel of land, and all consents for such lands will be conditional upon the applicant submitting an acceptable Environmental Impact Statement to the Region and the City for their consideration.

SUBSECTION C.2 THE URBAN POLICY AREA

2.1 In addition to the foregoing general provisions, consent for severance within the City's Urban Policy Area as identified on Schedule "A" shall:

a) be discouraged for any land which does not have full municipal services.

b) not expand the Urban Policy Area beyond that which is designated in this Plan, and the Regional Official Plan.

c) be discouraged where such severance would interfere with land assembly for the purpose of planned development.

d) be discouraged when it does not comply with the staging policies of Subsection F.2 of this Plan.

SUBSECTION C.3 THE RURAL AREA

The subdivision of land designated AGRICULTURAL and RURAL LAKESHORE by this Plan as identified on Schedule "A" The General Land Use Plan, shall be prohibited save and except where an application is in conformity with Subsection C1 and the following policies.

3.1 GENERAL RURAL POLICIES

3.1.1 Any proposal for consent within the Agricultural and Rural Lakeshore areas shall:

a) not prejudice the existing and/or potential viability of a farm unit;

b) not adversely affect the natural environment of the particular area or existing and/or proposed adjacent agricultural uses;

c) result in uses compatible with existing or proposed nearby land uses and shall not adversely affect the surrounding rural landscape;

d) only be permitted where evidence is submitted that the requirements of the Ministry of Environment or its agents can be complied with including the availability of private sewage disposal facilities and potable water supply;

e) comply with the distance requirements of the Agricultural Code of Practice, as amended from time to time, where applicable; and

f) be encouraged to locate on the least productive portion of the applicant's land holding where possible.

3.1.2 Consents shall be prohibited in woodlots covered by agreement with the Ministry of Natural Resources and in forests with wood suitable for lumber production as determined by the Ministry of Natural Resources.

3.1.3 No consent shall be permitted which creates an infilling situation under the provisions of this Plan and the Regional Official Plan.

3.1.4 Lots for residential uses shall be a minimum of 0.51 hectares unless the applicant can justify a smaller lot size through a hydrogeological study in accordance with the provisions of the Regional Official Plan or if appropriate municipal services are available in the area.

3.2 FARM RELATED POLICIES

3.2.1 A consent may be permitted for the consolidation of farm holdings by the acquisition of abutting lands for the purpose of increasing and/or establishing a viable farming operation.

3.2.2 Consent to create a lot for a farm help residence shall be prohibited. An additional permanent dwelling for full time occupation accessory to a farm operation may be permitted through appropriate provisions in the Zoning By-law. Such By-law provisions shall apply only where the size and/or nature of the farm operation makes the employment of full time farm help necessary. Additional dwellings for farm help on the farm holding may be permitted if they are for seasonal use only and where it can be demonstrated that such accommodation is essential for the respective agricultural operation.

3.2.3 One consent to create a lot from a viable farm operation may be considered if in accordance with one of the following circumstances and provided that the proposal complies with Policy 3.2.4 of this Subsection and with the other applicable policies of this Plan:

a) A retirement lot for a bona fide farmer provided that the farmer retains a residential lot with the existing farm dwelling and continues to live therein and conveys the remaining lands or the farmer retains a residential lot to build a retirement dwelling for himself and conveys the farm including the existing farm dwelling; or

b) A residential lot to a son or daughter of a bona fide farmer provided that the child's assistance is essential to the farming operation as his or her principal activity, and the applicant has had no conveyances granted from the land within the last 10 years. However, the applicant is encouraged to construct a second residence on the farm in accordance with the relevant regulations rather than severing a lot in order to retain the land and the residence as an asset of the existing farm operation; or

c) A residental lot containing a surplus dwelling may be considered when two or more adjoining farms have been amalgamated under one ownership and an existing dwelling which is capable of habitation is considered surplus and is not required as accommodation for farm help employed on the farm provided that no severances have been granted from the lands consolidated to the farm within the last ten years.

3.2.4 Consents under policy C.3.2.3 (a), (b) and (c) shall only be considered where:

a) the applicant has a viable farming operation;

b) the applicant has owned, resided on and actively farmed the property for the last 10 years;

c) the applicant has owned the land prior to January 1, 1977;

d) the remaining parcel of land, or for the retiring farmer, the conveyed parcel of land is not less than 18 hectares in size. Special circumstances may justify a smaller lot size such as in instances of specialized viable farming which do not need such a large land area, i.e., mushroom operations and fruit farms.

3.3 NON-FARM RELATED POLICIES

3.3.1 The division of land creating scattered residential development shall be avoided and in no case a consent to create a new residential lot in the area designated Agricultural and Rural Lakeshore and located north of the Niagara Escarpment shall be permitted where municipal water supply is unavailable.

3.3.2 A consent for an existing dwelling may be considered if the total existing property is not greater than 0.8 hectares in size and contains two or more dwellings.

3.3.3 A consent to sever a parcel of land for residential infilling purposes may be considered provided that:

a) The subject lands are fronting on a public roadway;

b) The subject land is situated within linear development of three or more existing non-farm residential dwellings grouped on the same side of a public roadway;

c) The land is situated between two existing residential dwellings fronting on the same side of the road which are not more than 60 metres apart, provided that such existing dwellings are not located on or form part of an existing or potential farming operation; and

d) The proposal is desirable and conforms with the other policies of this Plan.

3.3.4 In addition to the foregoing Policy C.3.3.3, where full municipal services are provided in accordance with Policy D.1.1.2.4, a Consent to sever a parcel of land for residential infilling shall:

a) not result in a significant addition to existing municipal services;

b) result in development of similar scale to surrounding development;

c) not interfere with existing or potential farming operations in terms of accessibility to interior lands;

d) not prejudice the preparation of future secondary plans by limiting consideration of land use options, should these areas be developed for urban uses in the long term.

3.3.5 Notwithstanding Policy C.3.1.4, the size of any lot created by consent in accordance with Policy C.3.3.3 in the area bounded by the easterly boundaries of the Winona Urban Community and the City of Stoney Creek itself and north of Base Line Road, shall be subject to the requirements of the Local Health Authority. Furthermore, such a lot shall be consistent in size and shape with existing lots in the immediate area.

SECTION D

SERVICING STRATEGY

It is intended that adequate PHYSICAL SERVICES (Water and Sewage, Storm Drainage, Solid Waste Disposal, Utility Services and Transportation Services) which are necessary to implement the Land Use Policies of this Plan will be provided. Accordingly this Section includes policy provisions for such services in Stoney Creek.

SUBSECTION D.1 ENGINEERING SERVICES

WATER & SEWAGE D.1.1

1.1.1 OBJECTIVE

1.1.1.1 To ensure that all existing and future development in the City will be effectively serviced by an adequate supply of water and a suitable sewage disposal system in order to prevent or mitigate environmental and health problems.

1.1.2 POLICIES

1.1.2.1 In accordance with the intent of the Regional Official Plan, the Region will provide an adequate supply of potable water and a suitable sewage collection and disposal system for the designated Urban Policy areas as the land is developed.

1.1.2.2 Council shall encourage the Region to maintain and, where necessary, improve existing water supply and sewage collection and disposal systems.

1.1.2.3 Council shall encourage the Region to seek the correction of individual sewage disposal systems or to supply municipal sewers and/or municipal water to areas other than that stated in Policy D.1.1.2.1 where:

a) potential health hazards exist and/or

b) environmental degradation is occurring and/or

c) inadequate supplies are causing undue hardship on the residents.

1.1.2.4 Where full Municipal Services are provided in accordance with the provisions of Policy D.1.1.2.3, limited residential development on existing road frontages may be permitted but such development shall only be by Consent, and in accordance with Policy A.9.3.2.6 and the relevant Consent policies of Subsection C.3.

1.1.2.5 In the areas identified by the Regional Official Plan as Rural Policy Areas, Council shall co-operate with the Region in encouraging and promoting individual sewage disposal systems which incorporate proven new technology achieving reduced volumes and/or improved quality of effluents.

STORM DRAINAGE D.1.2

1.2.1 OBJECTIVE

1.2.1.1 To ensure that Storm Water run-off within the City is safely and effectively managed.

1.2.2 POLICIES

1.2.2.1 All new development or redevelopment within the City shall be connected to and serviced by a suitable Storm Drainage System such as underground pipes, ditches, culverts, swales, natural watercourses, detention storage areas or any other appropriate storm water management system acceptable to Council and the Conservation Authority.

1.2.2.2 Council shall not permit any new development or redevelopment where it would interfere with, or reduce, the drainage capacity of any natural watercourse or result in any pollution or drainage problems along watercourses and their tributaries.

1.2.2.3 Where practicable, the existing storm drainage system will be maintained and improved in order to ensure its efficient operation and minimize the potential for flooding.

1.2.2.4 Existing development in the urban area shall remain without storm sewers unless requested through a sufficient petition from the residents. In this event, cost sharing shall be in accordance with the appropriate provision of the Local Improvements Act.

1.2.2.5 Council shall ensure that the extension of the Storm Drainage System is at a sufficient capacity to support the future anticipated growth in the City.

1.2.2.6 It is the intent of this Plan to develop and adopt a comprehensive Storm Water Management Policy which, among other things, will address in detail the storm drainage requirements for development and/or redevelopment.

1.2.2.7 Council shall co-operate, where practicable, with the appropriate Conservation Authority in any flood management studies or engineering works that may be undertaken to improve or maintain the drainage capacity of natural watercourses.

1.2.2.8 In accordance with the intent of the Regional Official Plan, Council shall co-operate with the Region and appropriate Provincial Agencies, in any study or program to investigate and implement suitable and economical methods of increasing water infiltration to the ground; of reducing residual urban storm water run-off; and of watershed management.

SOLID WASTE DISPOSAL D.1.3

1.3.1 OBJECTIVE

1.3.1.1 To ensure effective Solid Waste Disposal Service for all land uses.

1.3.2 POLICIES

1.3.2.1 In accordance with the intent of the Regional Official Plan, Council shall co-operate with the Region to provide a co-ordinated System for the collection and haulage of SOLID WASTE to Regional DISPOSAL facilities.

1.3.2.2 Subject to a demonstrated need, Council shall encourage the Region to establish a transfer facility within the Industrially designated area well removed from Residential Uses, to efficiently serve the City in the most economical and environmentally acceptable means available.

1.3.2.3 In accordance with the intent of the Regional Official Plan, Council shall encourage, and co-operate with, the Region in developing a program for resource recovery and recycling of SOLID WASTE materials.

1.3.2.4 Council shall encourage the Region to continue to monitor the leachate seepage and methane gas conditions of the sanitary landfill sites on Sixth Road East and, in so doing, take every measure to protect the surrounding area and prevent adverse environmental effects that may be associated with the sanitary landfill site.

1.3.2.5 All areas in the City shall be served by a regularly-scheduled SOLID WASTE collection through the municipal DISPOSAL service, or, in the case of certain uses, through individually-contracted collection service.

1.3.2.6 The final DISPOSAL of SOLID WASTE within the City will be prohibited except at approved DISPOSAL facilities to protect the environment and the public health.

1.3.2.7 Council may pass By-laws to require and control the location of WASTE storage areas and containers in Industrial and Commercial areas and to regulate the temporary storage of WASTE material on street boulevards.

1.3.2.8 The establishment of new sanitary landfill site within the City of Stoney Creek will require an amendment to this Plan.

SUBSECTION D.2

UTILITY SERVICES

2.1 OBJECTIVES

2.1.1 To recognize Utility Services as valuable assets of support to the City's economy and the welfare of residents.

2.1.2 To ensure that Utility Services are developed in an orderly manner consistent with the present and future needs of the City.

2.2 POLICIES

It is not the intent of this Plan to designate areas for Utility Services, rather the location and development of such uses shall be guided by the following policies.

2.2.1 Council shall encourage and, where necessary, participate with the various public or private utility agencies to ensure the Utility Services such as electric power, pipelines and natural gas lines are readily available to all development at levels necessary to ensure the safety and convenience of the City.

2.2.2 Utility Services shall be developed to carefully integrate with the general character of the surrounding uses through the provision of landscaping, screening and buffering, siting of structures, height control and any other measures as may be deemed to be appropriate by Council.

2.2.3 Council shall encourage and co-operate with the various public and private agencies in the planning of future transmission routes, easements and facilities for Utility Services. Such Services will be provided in a manner which can be integrated with the established and/or anticipated pattern of development.

2.2.4 In accordance with the Regional Official Plan, all existing electrical facilities and all new Ontario and Stoney Creek Hydro facilities used directly for the generation and distribution of electric power and permitted under The Environmental Assessment Act and other relevant statutes shall be permitted in any land use designation but Ontario Hydro shall consult with the City and take into account the established planning policies of the Municipality.

2.2.5 Council shall encourage the appropriate public or private agencies to place electric power, telephone lines, multi-use cables and other such Utility Services underground whenever possible. In this regard, such UNDERGROUND UTILITY SERVICES shall comply with the following provisions:

a) In areas where new development occurs, this will be encouraged prior to the actual construction of buildings;

b) In areas where redevelopment occurs, this will be required only when and if it is reasonable and economical, having regard to the size of the redevelopment and the extent of work involved; and,

c) In areas where development is likely to remain stable and overhead wires exist, this will be encouraged, where feasible and practicable, when major street improvements are undertaken.

SUBSECTION D.3 TRANSPORTATION SYSTEM

ROAD NETWORK D.3.1

3.1.1 OBJECTIVE

3.1.1.1 To provide a safe and efficient Road Network that will accommodate anticipated traffic volumes at a reasonable level of service, fully integrated with the City of Hamilton, Region of Hamilton-Wentworth and Province of Ontario Road Systems.

3.1.2 POLICIES

3.1.2.1 The ROAD NETWORK is comprised of Inter-Regional Highways, Arterials, Collectors and Local Roads as identified on Schedule "D" of this Plan. Roads not specifically designated in the Functional Road Classification on Schedule "D" will be deemed Local Roads. This Plan recognizes that the road network within the City is composed of roads under Provincial, Regional and Local jurisdiction as identified on Appendix 2 of this Plan.

3.1.2.2 The Road Network is subject to the following functional classification:

(a) INTER-REGIONAL HIGHWAYS are strategic links in the road network, the primary function of which is to carry long distance traffic into, out of, and through the Region. The right-of-way and design of these roads shall be adequate to accommodate long distance and through traffic, as well as traffic generated by abutting land use where direct access to the road is permitted. The right-of-way widths and design standards of highways under the jurisdiction of the Province are determined by the Ministry of Transportation and Communication. Full or partial control of access from these roads to abutting land uses shall be required where development or redevelopment warrants such action and where alternative access can be provided.

(b) ARTERIAL ROADS are strategic links in the road network, the main functions of which are to carry relatively high volumes of long distance traffic within, between or through the City and surrounding Area Municipalities and/or to provide access past major geographic barriers and to inter-regional highways.

The right-of-way and design of these roads must be adequate to accommodate this longer distance traffic as well as traffic generated in the immediate vicinity of the road. Generally, full or partial control of access to abutting land use shall be provided where new development or redevelopment warrants such action and where alternative access can be provided.

(c) COLLECTOR ROADS will function as connecting road links between Arterial and Local Roads. They generally carry lower traffic volumes than Arterial Roads and may provide direct access to abutting properties. The right-of-way widths for these roads will range from 20 to 26 metres, and,

(d) LOCAL ROADS will provide direct access to abutting properties and carry traffic predominantly of local nature. Local road right-of-way widths will be 20 metres.

3.1.2.3 The Functional Road Classification System will be used as the basis for decisions regarding design standards for road construction, transit and truck routes, road widenings and access policies. As traffic conditions change in response to development, Council may reclassify roads where considered necessary by way of an amendment to this Plan.

3.1.2.4 New development or redevelopment will only be permitted on a property that has direct frontage on a public road of an acceptable standard of construction. However, repairs or replacement of existing dwelling units on private roads, unopened road allowances or other substandard roads which are not being maintained by the City may be permitted.

3.1.2.5 Council shall initiate construction and maintenance programs to improve the safety and operation of the Road Network. Further, Council shall co-operate and encourage the Ministry of Transportation and Communications and the Region of Hamilton-Wentworth to improve and overcome deficiencies on roads under their respective jurisdictions.

3.1.2.6 The dedication of property for daylighting triangles on existing roads will be required at such times as the property is to be developed or redeveloped, and where the development is in a proposed site plan control area as defined in Subsection F.6 of this Plan and set out in a By-law implementing Site Plan Control, or where a Consent or subdivision is required. Daylighting requirements shall generally be based on the functional road classification of intersecting roadways as follows:

Road Classification of Intersecting Streets	Daylighting Requirements
Local to Local	4.5m triangle or radius
Collector to Local or Collector	7m x 7m triangle
Arterial to Collector or Arterial	12m x 12m triangle

The amount of land taken by dedication for a daylighting triangle using site plan control will be limited in all cases to an area no larger than the amounts described above.

3.1.2.7 On ARTERIAL ROADS, direct frontage development will be restricted in accordance with the policies of the Regional Official Plan. Direct access will only be permitted where circumstances warrant it and with the approval of the Region.

3.1.2.8 All new development abutting ARTERIAL ROADS shall provide adequate off-street loading and unloading facilities located in such a manner to minimize the detrimental impact by vehicles using such facilities on the free flow or safety of other vehicles operating on the arterial road system.

3.1.2.9 With respect to COLLECTOR ROADS (other than the South Service Road which is under the jurisdiction and subject to the policies of the Ministry of Transportation and Communications), direct frontage development may be permitted, but all points of access to such roads are to be in accordance with requirements of the Council and the City Engineer. Access may be permitted to LOCAL ROADS subject to the approval of the City Engineer.

3.1.2.10 Council shall co-operate with the Region to designate, maintain, monitor and improve truck routes to accommodate the safe and efficient movement of truck traffic, while prohibiting the penetration of non-essential trucking into residential areas. In addition, Council shall require appropriate building setbacks, screening and buffering along designated truck routes to alleviate excessive noise impacts on adjacent land uses where the noise level from traffic is above the relevant level established by the Ministry of the Environment.

3.1.2.11 Council may require developers to contribute to the upgrading of existing roads external to the development should the necessity for such upgrading be a direct result of the traffic impact of the proposed development and/or redevelopment. In addition, Council may require as a condition of development and/or redevelopment that the proponents carry out a detailed transportation impact study outlining all significant effects in terms of safety and traffic movement on the existing road network.

3.1.2.12 Council shall minimize the re-entrainment of dust from municipal roads, and shall encourage the Region to do the same for roads under its jurisdiction, by means of such as, but not limited to:

a) Regular cleaning of roads and sidewalks;

b) Reduce speed limits on unpaved roads; and,

c) Application of dust control agents on unpaved roads.

3.1.2.13 New private roads shall not be established unless such are contained within a plan of condominium registered under the Condominium Act. The long term goal of Council shall be the incorporation of all private roads into the Public Road System after they have been widened and upgraded to Municipal standards. However, prior to such improvements there has to be a demand to upgrade the road in either a request for new development, a petition from the residents, or as a requirement of the Municipality. If the road is to be upgraded by private initiative, all costs are to be borne by the proponents.

3.1.2.14 The City may provide certain essential services such as garbage pick-up and snow ploughing on certain private roads which meet a minimum criteria as established by Council. Furthermore, such services are provided only for reasons of public health and safety and do not constitute acceptance of these roads into the Public Road System.

3.1.2.15 In accordance with The Planning Act, 1983, as may be amended, Council shall require the dedication of property abutting roadways within the designated future road allowance rights-of-way as specifically set out herein at such time as the property is to be developed, redeveloped, subdivided, or where the property is in a proposed site plan control area as described in Subsection F.6 of this Plan.

3.1.2.16 Notwithstanding the provisions of Policy 3.1.2.2 of this Subsection, the proposed widths of specific roads are as follows:

Road	From	To	Planned Right of Way
Arvin Ave.	Gray Rd.	Jones St.	26 Metres
Belgraden Ave.	Seaman St.	South Service Rd.	26 Metres
Centennial Pkwy.	King St.	North City Limit	36 Metres
Community Ave.	Gray Rd.	Teal Ave.	26 Metres
Crompton Way	Norwich Rd.	Roxborough Ave.	20 Metres
DeWitt Rd.	Hwy. #8	South Service Rd.	26 Metres
Elm Ave.	King St.	Mountain Ave.	20 Metres
Frances Ave.	Green Rd.	Gray Rd.	26 Metres
Garden Ave.	Pineland Ave.	Teal Ave.	26 Metres
Green Rd.	King St.	South Service Rd.	26 Metres
Guernsey Dr.	Margaret Ave.	Millen Rd.	20 Metres

Road	From	To	Planned Right of Way
Jones Rd.	Hwy. #8	South Service Rd.	26 Metres
Jones St.	Mountain Ave. N.	King St.	20 Metres
Kenmore Ave.	Barton St.	Arvin Ave.	26 Metres
Lake Ave. Dr.	North City Limit	Queenston Road	26 Metres
Lake Ave. Dr.	Queenston Rd.	King St.	20 Metres
Leaside Ave.	Barton St.	Arvin Ave.	26 Metres
Lewis Rd.	Hwy. #8	South Service Rd.	26 Metres
Maple Ave.	Mountain Ave. S.	30 Metres West of Mountain Ave. S.	20 Metres
Margaret Ave.	Barton St.	Arvin Ave.	26 Metres
McNeilly Rd.	Hwy. #8	South Service Rd.	26 Metres
Millen Rd.	Frances Ave.	North Service Rd.	26 Metres
Mountain Ave. S.	King St.	Elm Ave.	20 Metres
Oriole Ave.	Victoria Ave.	South Service Rd.	20 Metres
Pettit St.	West Ave.	Winona Rd.	20 Metres
Pineland Ave.	Garden Ave.	South Service Rd.	26 Metres
Sunnyhurst Ave.	Barton St.	Arvin Ave.	26 Metres
Teal Ave.	Garden Ave.	South Service Rd.	26 Metres
Victoria Ave.	Oriole Ave.	Winona Rd.	20 Metres
West Ave.	Pettit St.	Barton St.	20 Metres
Winona Rd.	Hwy. #8	South Service Rd.	26 Metres.

3.1.2.17 When widening existing roadways an attempt will be made to widen equally on both sides wherever feasible. However, in certain cases where factors such as topography and existing development dictate, it may be necessary to require more than half the widening on one side of the road. In cases where more than half the total widening proposed is to be taken from one side of the road, the amount of land to be taken by dedication from each side of the road, under site plan control, shall be limited to one-half of the total proposed widening unless the extent of the proposed widening is more specifically defined in the Official Plan or by subsequent amendment.

3.1.2.18 Notwithstanding the foregoing, within the area designated Industrial-Business Park by this Plan, where it is deemed that certain roads proposed to be built are not required or where it is deemed that certain existing roads be closed, then in such instances an Amendment to delete these roads from Schedule 'D', "Functional Road Classification" shall not be required. Where any of these roads are under the jurisdiction of the Regional Municipality of Hamilton-Wentworth, the approval of the Regional Council shall be required.

PUBLIC TRANSIT D.3.2

3.2.1 OBJECTIVE

3.2.1.1 To provide public transit facilities adequate to meet the needs of the residents wherever economically feasible.

3.2.2 POLICIES

3.2.2.1 In accordance with the intent of the Regional Plan, Council recognizes the Central Area as a focal point for transit service within the municipality. Consequently Council shall encourage the provision of transit service to the Central Area from all developed urban areas in the municipality.

3.2.2.2 Council shall encourage the Region to extend the limits of Urban Transit area to include all portions of the City developed at urban densities.

3.2.2.3 The concentration of high density residential development in the immediate proximity of major transit corridors and transit points in the transit system may be permitted in accordance with the relevant policies of this Plan.

3.2.2.4 Public transportation concepts shall be incorporated in secondary planning wherever feasible, to allow for convenient access to the public transit system.

3.2.2.5 Adequate road rights-of-way shall be required in order to allow for the accommodation of public transit.

3.2.2.6 The Transit Authority will be encouraged to improve public transit service between the City of Stoney Creek and the Terminii of proposed extension of the commuter rail service between the City of Hamilton and Oakville. Such a service may include an express bus or a shuttle bus but will be dependent on proven demand.

PUBLIC & PRIVATE PARKING D.3.3

3.3.1 OBJECTIVE

3.3.1.1 To ensure that adequate public and private parking facilities are available throughout the City without interfering with the safe and efficient movement of traffic and without detriment to adjacent land uses.

3.3.2 POLICIES

3.3.2.1 Council shall retain control of parking regulations for all roadways under City jurisdiction. In establishing or amending parking regulations for a particular roadway, the need for such parking and the effect on the use and maintenance of the roadway will be considered.

3.3.2.2 Council shall regularly review its parking policies and relevant by-laws to ensure the safe and efficient operation of parking facilities is provided within the City.

3.3.2.3 Council shall discourage, where appropriate, the provision of on-street parking on Arterial Roads to facilitate the free flow of traffic movement and, accordingly, shall encourage replacement with sufficient off-street and/or on-site parking facilities.

3.3.2.4 On-street parking is to be prohibited, where feasible, on sections of Arterial and Collector Roads where such parking interferes with the safe and efficient operation of the road network.

3.3.2.5 Council shall co-operate with the Region in implementing peak hour parking and stopping restrictions on Arterial Roads where such restrictions are deemed necessary for the safe and efficient operation of the road network.

3.3.2.6 The replacement of on-street parking on Arterial and Collector Roads with appropriate off-street parking facilities will be promoted.

3.3.2.7 Ingress and egress points of parking areas will be limited in number and designed in accordance with City standards. Council shall further encourage the sharing of access points by similar adjoining land uses, where practicable, to minimize traffic hazards on major roads.

3.3.2.8 All parking areas will be suitably surfaced for dust control purposes and to resist degradation from the elements or use and where deemed appropriate, they shall be illuminated to facilitate and ensure the safety and convenience of pedestrian or vehicular traffic.

3.3.2.9 Where severe parking and/or loading problems are encountered in developed areas, and where the parking and/or loading of vehicles on streets or adjacent lands constitutes a nuisance or is seriously affecting the amenity and maintenance of the area, Council may consider the acquisition of lands in appropriate locations for parking purposes pursuant to the Municipal Act and in accordance with Subsection F.8 of this Plan. Preference will be given to those locations where the problems are most severe and/or where the greatest number of land uses may benefit.

3.3.2.10 In areas where sufficient parking facilities are in place, Council may, at its discretion, require a cash contribution for development or redevelopment in lieu of all or part of the relevant Zoning By-law parking requirements. Such funds will be used for the acquisition of lands and/or the provision of off-street parking throughout the City where deemed appropriate by Council in accordance with the provisions of Subsection F.8 of this Plan.

3.3.2.11 Where parking or loading facilities for a non-residential development are to be located adjacent to residential uses, Council shall require the developer of the site intended for the non-residential use to suitably screen or buffer the residential uses from the parking or loading facilities through the use of fences, berms or other appropriate landscape treatment designed in accordance with City standards.

3.3.2.12 Adequate parking facilities shall be provided to encourage the use and patronage of the CENTRAL AREA. Accordingly,. the following policies shall apply with respect to this area:

a) A parking lot acquisition fund will be established and certain development or redevelopment will be permitted to proceed where appropriate with a cash contribution to the fund in lieu of providing on-site parking facilities;

b) Lands will be acquired and additional off-street parking facilities will be provided in order to alleviate severe parking problems affecting the safety and efficiency of the road system; and,

c) Private initiative will be encouraged to provide public off-street parking facilities where deemed appropriate.

3.3.2.13 Notwithstanding other policies of this Plan, those lands that are vacant and which may be advantageously utilized to relieve parking difficulties in the City may be used as "temporary" parking lots, subject to the following:

a) temporary parking areas will not unduly impede pedestrian movement, or the use of Residential, Open Space or other public lands;

b) temporary parking areas will be sited and designed to reflect the best interests of the local area; and

c) the use of such vacant lands for temporary parking will not exceed three (3) years. Council may by By-law grant further periods of not more than 3 years each during which the temporary use is authorized.

PEDESTRIAN AND BICYCLE CIRCULATION D.3.4

3.4.1 OBJECTIVE

3.4.1.1 To provide a safe pedestrian and Bicycle Circulation System that links the various parts of the City.

3.4.2 POLICIES

3.4.2.1 Major pedestrian destinations such as schools, parks, commercial areas, bus stops, libraries, parking lots and recreational facilities may be linked by a System of Pedestrian Paths and Sidewalks along certain roadways. Such a system will be implemented through the preparation of Secondary Plans and Neighbourhood Plans in accordance with the relevant provisions of this Plan.

3.4.2.2 When development and/or redevelopment proposals are submitted for approval and where such proposals are on land that may affect the continuous nature of the recreational path system, every effort will be made to ensure that such proposals are integrated with the system through land dedication or land acquisition.

3.4.2.3 Sidewalks on certain roadways will be provided where required for the safety and convenience of pedestrians. In this regard, Council shall undertake and continually update a detailed sidewalk construction and maintenance program and shall budget appropriate funds for the implementation of the program.

3.4.2.4 Where feasible, the establishment of a recreational bicycle and pedestrian path linking natural amenity areas, schools, parks and major commercial areas will be implemented.

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RAIL SERVICE D.3.5

3.5.1 OBJECTIVE

3.5.1.1 To recognize a Rail Service System that will meet the existing and future requirements of residents, business and industries.

3.5.1.2 To minimize and if possible, eliminate any conflicts of the existing C.N.R. line and the T.H.& B. railways with adjacent land uses as well as with the road system.

3.5.2 POLICIES

3.5.2.1 In accordance with the Regional Official Plan, Council shall encourage railway companies to provide safe and efficient service. In the event that a new rail line is to be located adjacent to existing or designated residential areas, adequate landscape and noise attenuation buffering shall be required in accordance with the appropriate requirements of the Ministry of the Environment.

3.5.2.2 Where new residential or institutional development is proposed in proximity to any existing railway lines, the proponent may be required to prepare a noise study to the satisfaction of Local and Regional Council, which shall recommend any noise attenuation measures needed to meet sound level objectives as provided for in the Ministry of the Environment's guidelines. Noise attenuation measures may include, but not necessarily be limited to the following:

a) Soundproofing measures and construction techniques, general layout and design of structures and/or outdoor recreational space with respect to the noise source;

b) Spacial separation from the noise source, including the insertion of permitted sound-insensitive uses between the source and receivers;

c) Acoustical barriers such as berms, walls, favourable topographic features or other intervening structures; and,

3.5.2.3 Where the necessity is demonstrated, Council shall seek to eliminate railway grade crossings on a priority basis and with the financial assistance of the appropriate authorities.

3.5.2.4 Council shall, as a minimum requirement, petition the appropriate authority to provide and maintain appropriate level crossing control devices.

SECTION E

THE LIVING ENVIRONMENT

Council shall attempt to maintain a high standard both in the visual character and the quality of life in the City of Stoney Creek. Accordingly, this section provides policy direction to enable Council to proceed in maintaining and improving a quality living environment within the City. Particularly this section provides policy guidelines for energy conservation, municipal housekeeping, community renewal, the provision of adequate community facilities and urban landscaping and the preservation of architectural and historical resources.

SUBSECTION E.1

ENERGY

1.1 OBJECTIVE

1.1.1 To promote urban and rural development which minimizes energy consumption and which utilizes renewable energy resources to the greatest extent practical and feasible.

1.2 POLICIES

1.2.1 To promote energy efficiency in the growth and management of the City, Council may:

a) Formulate energy-oriented planning policies with emphasis on mixed use development, higher-density development where appropriate, and the use of the sun as an energy resource.

b) Periodically up-date energy related policies in order to reflect energy conservation practices. Accordingly, Council shall review the municipal Zoning By-law to determine provisions that may promote energy efficiency.

c) Review the design of Neighbourhood Plans and Plans of Subdivision submitted under Section 50 of The Planning Act, with the view of maximizing the utilization of solar heat.

d) Co-operate with the appropriate public and private agencies to inform the general public of energy conservation techniques.

1.2.2 Council shall encourage proponents of future development and/or redevelopment to incorporate in their proposals energy saving measures to optimize the use of energy sources. Further, Council shall support the practical application of innovative measures relating to energy conservation through site planning, building design, renewable energy, alternate energy and efficient equipment.

1.2.3 Council shall promote the use of public transit as an alternate means of transportation to the automobile. Council shall also investigate the possibility of separate routes for bicycles or alternatively, routes for bicycles within rights-of-way.

1.2.4 Council shall promote the reduction of energy consumption and dependency on non-renewable energy sources, particularly in all City-owned, maintained and/or operated facilities and equipment.

1.2.5 Council shall invite greater local self-sufficiency by promoting the development of diverse commercial, industrial, recreational and service opportunities for Stoney Creek residents.

SUBSECTION E.2

MUNICIPAL HOUSEKEEPING & PROPERTY MAINTENANCE

2.1 OBJECTIVE

To encourage the development of an efficient and pleasant living environment by appropriately maintaining existing development, improving or replacing development that has deteriorated and controlling the quality of new development.

2.2 POLICIES

2.2.1 Council shall attempt to maintain and improve the condition of all properties through enforcement of Zoning and Building By-laws. Pursuant to the Planning Act By-laws will be enacted which will:

a) Set forth Property Standards for the maintenance and occupancy of all property within the City;

b) Prohibit the use or occupancy of any property that does not conform to the standards;

c) Require property to be repaired and maintained to comply with those standards; and,

d) Require lands cleared of buldings or structures to be left in a graded and levelled condition and free of debris or refuse.

2.2.2 Council shall endeavour to keep in a well-maintained condition all municipal properties and structures and to provide or maintain in good repair, services that are under the jurisdiction of the City such as roads, sidewalks, water and sewage facilities and other public works.

SUBSECTION E.3

COMMUNITY RENEWAL

3.1 It is intended that background studies to develop policies for Community Renewal will be undertaken. Once such policies have been completed, they will be incorporated in this Plan by means of an Official Plan Amendment.

SUBSECTION E.4

TREE PLANTING AND LANDSCAPING

4.1 OBJECTIVE

4.1.1 To enhance the amenity and appearance of the City through the retention of existing vegetation, the promotion of TREE PLANTING and the provision of LANDSCAPING.

4.2 POLICIES

4.2.1 In all public works, no trees will be removed unnecessarily and trees that must be removed for the purpose of public works installations will, where desirable and practicable, be replaced as soon as possible to enhance the final appearance of such installations.

4.2.2 When considering any development proposal, Council may require the submission by the owner of a landscaping plan designed to improve the aesthetic quality of the site and surrounding lands. In this regard, Council shall be satisfied that existing landscaping features will be preserved wherever possible. Furthermore, in a situation where landscaping does not exist, a reasonable number of trees and/or other suitable vegetation may be required.

SUBSECTION E.5

HISTORIC AND ARCHITECTURAL RESOURCES

5.1 OBJECTIVE

5.1.1 To preserve and/or rehabilitate, where feasible, those resources of HISTORIC AND ARCHITECTURAL merit and to promote the interest of the residents in the heritage of their City. It is further intended that appropriate measures be established to ensure that these resources will be recovered for active use and be instrumental in setting the visual amenity of Stoney Creek.

5.2 POLICIES

5.2.1 Council shall consider historical and cultural resources, including recognized archaeological sites in the review of any proposal for development and redevelopment. Such development and redevelopment either public or private should, wherever possible, incorporate these resources into the overall design in a manner which minimizes adverse impact and encourages maintenance and protection.

5.2.2 Council shall encourage Commercial development schemes, in appropriate locations, which propose to incorporate a building, or group of buildings, with historic character or architectural value that are presently underutilized or vacant.

5.2.3 Should sites with archeological significance within the City warrant conservation, Council shall consult with the appropriate Provincial Ministry for advice concerning the conservation and protection of such sites.

5.2.4 In accordance with the intent of the Regional Official Plan, Council shall co-operate with the Region and/or any Regional Heritage Foundation that may be established in the management of regional historical resources.

SUBSECTION E.6 COMMUNITY SERVICES

6.1 Council shall ensure that adequate levels of suitably distributed COMMUNITY SERVICES be provided to satisfy the changing requirements of Stoney Creek residents. Such services include recreational, educational, cultural and health facilities.

6.2 The actual Parkland requirements in an area will be identified in accordance with the provisions of Subsection A.7, through the preparation of Secondary Plans and by assessing a number of considerations, including but not limited to:

a) Nature of Residential development;

b) Population Characteristics such as density, age breakdown, ethnic considerations and income;

c) Accessibility including the nature and proximity of alternative recreation opportunities in the area;

d) Marketing considerations in terms of parkland costs, property condition and related factors;

e) Demand for passive and active spaces; and

f) Feasibility of locating parkland adjacent to School sites.

6.3 A District Park as identified in Subsection A.7 will, where feasible and deemed appropriate by Council, be developed in accordance with the following provisions:

a) A variety of outdoor and indoor facilities will be provided to meet a wide range of recreation interests and may also contain Neighbourhood level facilities;

b) The preferred location for a District Park is adjacent to a public or separate secondary or junior-secondary School, or in conjunction with a natural area; and,

c) District Parks will be designed and located so as to be accessible by private and public transportation.

6.4 Council shall encourage co-operation from local School Boards in the sharing of School grounds to supplement the supply of Parklands. Accordingly, Council may enter into joint-use agreements with an affected School Board.

6.5 In accordance with Subsections A.7 and D.3.4 of this Plan, where feasible, waterfront lands and lands along watercourses or easements may be added to the City's Parklands System to establish a continuous system of walkways, paths and other links to facilitate direct access to the waterfront and other pedestrian destinations in the City. Further:

a) Lands along watercourses will be preserved in a continuous and natural state, where appropriate, and be readily accessible to area residents, where possible; and,

b) Where improvements to the drainage pattern of watercourses are undertaken, consideration will be given to the preservation of existing vegetation and the integration of these improved watercourses into the Parklands System.

6.6 Council shall co-operate with the School Boards where new School facilities may be contemplated and shall encourage such Boards to consider the following site factors where feasible:

a) A location close to the centre of the Neighbourhood or the area to be served, but reasonable variations may be made in locations to permit integration with Parks or other public facilities;

b) A site of sufficient size to accommodate educational requirements including outdoor physical education, and reasonable future expansion for the facility when warranted, as determined from time to time by local School Boards.

6.7 Council shall encourage the Wentworth Library Board to provide alternative or additional branch libraries should established library facilities in Stoney Creek become functionally and locationally inadequate to serve area residents due to population growth and user demands.

6.8 Council shall ensure that appropriate health facilities are provided to serve the needs of residents and that such facilities are located in such a manner that they are easily accessible to those being served. In so doing, Council shall co-operate with the relevant authorities for the provision of health services.

6.9 Council shall endeavour to foster personal mobility to Community facilities through measures such as, but not limited to:

a) the construction of sidewalks with appropriate ramping;

b) the requirements of adequate access by ramps, elevators or other means to all publicly-accessible buildings;

c) the reservation of conveniently located parking spaces at Community facilities for use by the physically disabled, and encouragement for the provisions of such parking at all other public and private buildings;

d) the co-operation with the appropriate public agencies to investigate and implement appropriate public transportation opportunites for the physically disabled where feasible and practicable;

e) review and/or establishment of adequate illumination standards in parking garages, alleyways or other high-risk areas; and

f) development of bicycle routes and/or trails.

SECTION F

IMPLEMENTATION

This Section indicates the means by which City Council intends to implement programs and procedures in order to carry out the policies of this plan.

The methods for the IMPLEMENTATION of the policies set out in this Plan will generally be through successively more detailed steps in the planning process, particularly Secondary Plans and Zoning By-laws. More specific procedures will be followed through powers given to the City through The Planning Act, The Municipal Act and other applicable statutes.

The policies of this plan have been formulated on the assumption that adoption by Council and approval by the Region and the Minister of Municipal Affairs and Housing will be taken as evidence of commitment to the objectives and policies herein. Further, in order that this plan may be kept up to date and the need for additional studies determined, the Plan will be subject to a comprehensive review at not longer than five-year intervals.

SUBSECTION F.1

REGIONAL OFFICIAL PLAN

1.1 In keeping with the requirements of Bill 155, "An Act to Establish the Regional Municipality of Hamilton-Wentworth", it is intended that this Plan and subsequent implementing procedures conform to the OFFICIAL PLAN of the REGIONAL MUNICIPALITY of HAMILTON-WENTWORTH.

1.2 Council shall not approve amendments to this Plan or to the Zoning By-law which do not conform to the Region's Official Plan. Instead, Council may request Regional Council to initiate amendments, when warranted, to the Region's Official Plan.

1.3 Proposed amendments to this Plan including Secondary Plans and implementing By-laws, will be circulated to the Regional Municipality of Hamilton-Wentworth for its consideration and where appropriate, their certification of conformity with REGIONAL policy.

SUBSECTION F.2

STAGING OF DEVELOPMENT

2.1 In accordance with the Regional Official Plan, development within the City of Stoney Creek Urban Policy Areas will be permitted in stages as indicated on Schedule "C".

2.2 The Stage 2 area on Schedule "C", in the West Mountain Planning District, will be redesignated Stage 1 (without amendment to this Plan) when Regional Council's Plan for providing additional appropriate north-south transportation capacity across the Niagara Escarpment has received all the necessary Provincial approvals and financial commitments to allow construction. In the interim the maximum planned population of the area currently designated Stage 1 on Schedule "C" (on the West Mountain Area Planning District) will not exceed 16,500 persons. To ensure that traffic problems in this area are avoided, appropriate traffic studies and subsequent road improvements may be required in conjunction with any new development and/or redevelopment.

2.3 A review of the staging boundary may be conducted annually to ensure that sufficient land is available to accommodate anticipated growth. In this regard Council may, by resolution, request Regional Council to change the staging boundaries, when warranted, to:

(a) Maintain a diversity of choice for residential development, and

(b) Accommodate innovative and unique development proposals whose socio-economic benefits outweigh any other considerations.

SUBSECTION F.3

PLANNING DISTRICTS AND SECONDARY PLANS

3.1 The detailed implementation of the policies of this Plan will be carried out through a system of Planning Districts as identified on Schedule "E". This system forms the basis for co-ordinating the provision of services and community facilities with anticipated population growth.

3.2 The primary uses permitted in the PLANNING DISTRICTS are shown on Schedule "A". The detailed planning for the distribution and location of various land uses in each Urban-Residential Planning District will be established through the preparation of SECONDARY PLANS. In particular, Secondary Plans will be prepared for the Western Development Area, Urban Lakeshore, Winona Urban Community, West Mountain Area and the Olde Town Planning Districts including the Central Area. These Secondary Plans are to be incorporated under Subsection A.13 of this Plan.

3.3 Secondary Plans are land use policy plans that indicate in greater detail how the objectives, policies and designations of this Official Plan are to be implemented in a particular area. Without limiting the generality of this definition, Secondary Plans shall indicate the following:

a) The overall population capacity of the Planning District related to road and service infrastructure;

b) The location and area of various Residential densities;

c) The location and area of Local Parks, Elementary school sites; and any other land use features or policy provisions that may be considered relevant to a particular area;

d) The Road Network including existing and proposed arterial and collector roads; and,

e) Environmental constraints to development where appropriate.

3.4 Secondary Plans are to be part of this Official Plan. Any change to these plans will require an Official Plan Amendment in accordance with the provisions of Subsection F.11 unless otherwise specified by this Plan.

3.5 Secondary Plans will be prepared, where they do not exist at the time of approval of this Plan, for those areas identified under Policy F.3.2 of this Subsection. Such Secondary Plans will be incorporated into the Plan as an Official Plan Amendment and until such time, development within these areas shall be guided by the relevant policies of this Plan.

SUBSECTION F.4

BY-LAWS

4.1 It is intended that a comprehensive Zoning By-law shall be brought into effect by the Council of the City of Stoney Creek. The Zoning By-law shall establish land use controls in accordance with the relevant provisions of this Plan and The Planning Act. Any application to amend the Zoning By-law shall be in conformity with the provisions of this Plan.

4.2 In the area intended for Urban Development, where an existing use is in conformity with this Plan or where a future use can be anticipated in accordance with the relevant provisions of this Plan and development is imminent, then such use may be appropriately zoned in the implementing Zoning By-law. Where the ultimate use of land is unknown, a Restricted Zoning Category will be applied to such land. Permitted uses in this Restricted Zoning Category will be established in the implementing Zoning By-law. When the ultimate use of land has been determined, the By-law may be amended to permit the intended use.

4.3 In situations where the ultimate use of land is precisely known, but where Council wishes to delay development, a HOLDING ZONE may be applied by using the Symbol "H" in conjunction with a land use zoning category under any or all of the following circumstances.

a) When development or redevelopment is anticipated in accordance with the provisions of this Plan, but where the details of such development have not been determined.

b) When land assembly is required to permit orderly development or redevelopment.

c) When the level of Engineering and/or Community Services is not adequate to support the ultimate use, but such services are to be provided at a later date in accordance with the relevant provisions of this Plan.

The objective of the Holding Zone is to identify the ultimate use of land but to limit or to prevent the ultimate use in order to achieve orderly, phased development and to ensure that the servicing and design criteria established in this Plan have been met prior to the removal of the "H" symbol.

The actual HOLDING BY-LAW shall clearly specify the land uses to be permitted in the interim, the conditions for removal of the holding provision and any regulations applying to the lands during the period of time the holding provision is in place. Interim uses shall be limited to uses that are considered to be compatible with the ultimate use of land. The timing of the removal of the holding provision would be dependent on meeting the conditions identified in the Holding By-law. When all conditions specified in the Holding By-law are met, Council may consider passing a by-law to remove the holding symbol and allow development to take place in accordance with the zoning category or categories assigned.

4.4 Council may adopt INTERIM CONTROL BY-LAWS designed to limit the use of lands or buildings where a study of land use planning policies within a defined area of the City has been directed. The Interim Control by-law is a land use control that constrains development rights on certain lands for set time period. Once the required studies are completed, the City Zoning By-law may be amended to reflect the desirable use.

4.5 TEMPORARY USE BY-LAWS may be adopted by Council to permit the use of lands, buildings, or structures on a temporary basis. Temporary Use By-laws are intended to provide a positive way to zone lands for specific and appropriate short term uses such as, but not limited to, a parking lot on a future office site. The provisions of the Planning Act regarding timing and extensions to such By-laws will apply. Upon the expiry of the time period(s) authorized by the Temporary Use By-law, the use of land, buildings or structures that were permitted under such By-law shall cease to exist and cannot be considered as non-conforming uses.

4.6 Council may authorize increases in the height and/or density of development or redevelopment than is otherwise permitted in the Zoning By-law, where the proponent of such an undertaking provides one or more of the following facilities, services, landscaping or other matters:

a) housing units which assist in meeting the housing targets established by the City from time to time;

b) parkland dedication above and beyond the legislated requirement;

c) hard servicing facilities (sanitary and storm sewers and watermains) above and beyond those required to service the development;

d) energy conservation methods and innovative designs which are effective in reducing construction costs;

e) features to improve the aesthetics and viability of the Central Area;

f) buffering or landscaping above and beyond the requirements set forth in the Zoning By-law;

g) use or re-use of vacant buildings, and/or the preservation of buildings of historical or architectural significance particularly in the urban area;

h) improve the compatibility of existing land uses; and

i) any other features deemed to be benificial for the community, and compatible with adjacent development.

The Bonus Density and height proposed in the By-law shall conform with the relevant land use provisions of this Plan. Such a By-law shall set out areas or zone categories where the Bonus provisions would apply, and the amount by which the height and/or density of development would be permitted to increase in exchange for development features. Furthermore, the Municipality may require the proponent to enter into one or more development agreements registered against the lands to which it applies and dealing with the facilities, services or matters as well as all relevant conditions and circumstances that may be applicable.

4.7 In considering the merits of any proposed Amendment to the Zoning By-law, the Planning Committee on behalf of Council shall be guided by the following procedure of notification and public participation:

a) All proposed amendments will be circulated to those public and private agencies which in the opinion of Planning Committee have an interest in, or may be affected by the proposal. A reasonable period of time will be given for receipt of such submission.

b) At least one public meeting will be held to inform the public on the particulars of the proposed Amendment. Notification of such meeting(s) will be given to the public at least 14 days prior to the date of the meeting(s). The public meeting(s) will be advertised in a newspaper when the proposed Amendment, in the opinion of the Committee, will have a city-wide effect. Alternatively, when the proposed Amendment is considered site specific, a notice by mail or personal service will be given to all property owners to which the By-law applies and to all property owners within 120 metres of the lands subject to the proposed amendment.

c) In all instances, Council decisions on any proposed Amendment to the Zoning By-law will take place a minimum of 30 days from the time notification to the public is first given.

SUBSECTION F.5

NON-CONFORMING USES

5.1 RECOGNITION OF EXISTING USES - OFFICIAL PLAN

5.1.1 Some existing uses will not meet all the policies and provisions of this Plan. These existing uses may be recognized notwithstanding the policies and land use provisions of this Plan and such land uses may be permitted in the Zoning By-law in accordance with their present use and standards or appropriate standards of a suitable zoning category provided that:

a) the specific zoning or zoning category will not permit a change of use or standard which will aggravate any situation detrimental to adjacent uses;

b) the use or uses permitted do not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or the traffic they generate;

c) the use or uses are not obnoxious by reason of odour, noise, vibration, dust, smoke, gas, fumes, interference with radio and television reception or unsightly storage of goods to the extent of interfering with the ordinary enjoyment of surrounding property; and,

d) the use or uses do not interfere with the desirable development of the surrounding area.

5.2 NON-CONFORMING USES TO THE ZONING BY-LAW

5.2.1 The policies of this Plan relative to land use and the land use designations detailed in Section "A" represent a strategy to be followed over the course of the Planning period. This strategy will, in part, be implemented through a Zoning By-law. It is recognized that there will be instances where uses legally operating at the day of the adoption of the Zoning By-law will not conform to the policies of this Plan and THAT THEY WILL NOT BE PERMITTED USES IN THE IMPLEMENTING ZONING BY-LAW. Such uses shall be deemed LEGAL NON-CONFORMING USES. The long term intent of this Plan is that such legal non-conforming uses cease so that the lands may then be used for a purpose in conformity with the provisions of this Plan.

5.2.2 When a LEGAL NON-CONFORMING USE seriously affects the general amenity of the surrounding area, consideration will be given to the possibility of reducing or eliminating such conditions, especially when public health and welfare are directly affected. Where the incompatibility is particularly serious, Council may undertake those measures it deems necessary to remove or relocate such uses and to improve the amenity of the area.

5.2.3 Where land, buildings or structures are used as a LEGAL NON-CONFORMING USE, such a legal non-conforming use must cease prior to the establishment of the legal use permitted by the Zoning By-law on such land.

5.2.4 In order to provide some flexibility to the Zoning By-law and to avoid unnecessary hardship, expansions of LEGAL NON-CONFORMING USES may be considered. These expansions may be permitted if in conformity with the policies of this Subsection and provided the community will not be adversely affected. Council may permit such expansion by means of a By-law enacted pursuant to Section 34(10) of the Planning Act, 1983. Such expansions, however, shall not be considered unless the expansion of the Legal Non-Conforming Use has been considered in the following manner:

a) Council shall determine the feasibility of acquiring, selling, leasing or redeveloping the property concerned in accordance with the provisions of The Planning Act. Council shall further examine the merits and potential for the relocation of the use to an area in compliance with this Plan;

b) If acquisition by the City is not feasible, Council may request the Regional Municipality of Hamilton-Wentworth to consider acquisition. Where municipal acquisition is not feasible, Council shall be satisfied that the following requirements are, or will be, fulfilled:

   i) That the proposed extension or enlargement of the established Legal Non-Conforming Use will not unduly aggravate the situation created by the existence of the uses, especially in regard to the land use designation of this Plan and the requirements of the Zoning By-law;

   ii) That the proposed extension or enlargement will be in an appropriate proportion to the size of the Legal Non-Conforming Use established prior to the passing of the original By-law;

   iii) That an application, which would affect the boundary between areas of different land use designations in this Plan, will only be processed under these policies if it can be considered as a minor adjustment. Major intrusions will require an amendment to this Plan;

iv) The characteristics of the existing Legal Non-Conforming Use and the proposed extension or enlargement will be examined with regard to noise, vibrations, fumes, smoke, dust, odours, lighting and traffic generation. No amendment to the By-law will be made if one or more of such nuisance factors will be created or increased so as to add essentially to the incompatibility of the use with the surrounding area;

v) That the neighbouring complying uses will be protected, where necessary, by the provisions of areas for landscaping, buffering or screening; appropriate setbacks for buildings and structures; devices and measures to reduce nuisances; and by regulations for alleviating adverse effects caused by outside storage, lighting advertising, signs, etc.;

vi) Such provisions and regulations will be applied to the proposed extension or enlargment and, wherever feasible, be also extended to the established use in order to improve its compatibility with the neighbourhood;

vii) That traffic and parking conditions in the vicinity will not be adversely affected by the application and traffic hazards will be kept to a minimum by appropriate design of access points and improvement of sight conditions, especially in proximity to intersections;

viii) That adequate provisions have been or will be made for off-street parking and loading facilities; and,

ix) That adequate services such as sewage disposal facilities, storm drainage, roads, etc. are adequate or can be made adequate.

c) In consideration of any application submitted to the Committee of Adjustment for expansion of a LEGAL NON-CONFORMING USE pursuant to Section 44 of the Planning Act, 1983, the Committee shall have regard to those matters set out in Policy F.5.2.4.b(i) through (ix) inclusive.

SUBSECTION F.6

SITE PLAN CONTROL

6.1 All of the area of the City affected by this Plan shall be a Site Plan Control area. The actual uses which will or which will not be subject to Site Plan Control will be established by a By-law of Council. Such a By-law will provide for the following:

a) any one or two family dwellings, any alteration or addition to an existing one family or two family dwelling, any accessory building thereto or inground or above-ground swimming pool constructed in connection with a one or two family dwelling will not be subject to Site Plan Control. However the Site Plan Control may apply:

  i) where the one or two family dwellings are to be located within Lakeshore Policy Area 'B' of the Official Plan of the Regional Municipality of Hamilton-Wentworth, or;

  ii) where Site Plan Control and/or a Site Plan Agreement is required as a condition of approval of a Consent of the Land Division Committee of the Regional Municipality of Hamilton-Wentworth, or

  iii) where a second dwelling is proposed to be erected on a farm pursuant to the provisions of the relevant Zoning By-law,

b) any agricultural buildings will not be subject to Site Plan Control.

c) all other uses including but not limited to residential, commercial, industrial, institutional, public and recreational uses shall be subject to Site Plan Control.

6.2 In certain instances land will be dedicated for road widening purposes as a condition of Site Plan approval. The road widening policies to be implemented as well as the roads to be widened and the extent of the proposed widening are to be in accordance with the relevant policies of Subsection D.3.1 of this Plan.

6.3 In addition to the requirements of Section 40(4)2 of the Planning Act, 1983, Council may require drawings showing plan, elevation and cross-section views for each residential building with more than 2 dwelling units to be erected within areas designated as Residential on Schedule 'A' of this Plan.

SUBSECTION F.7

NEIGHBOURHOOD PLANS

7.1 Neighbourhood Plans are intended to be a general guide plan for the development and redevelopment of the Urban Residential Neighbourhoods. Such Neighbourhood Plans shall comply with the provisions of this Official Plan and will reflect Council's intention regarding the Neighbourhood's ultimate development. Neighbourhood Plans are not intended to form part of this Official Plan.

7.2 Neighbourhood Plans will be prepared for the Residential Urban Planning Districts as identified on Schedule "E" and will be adopted by resolution of City Council after consultation with neighbourhood residents and property owners as well as relevant Technical Agencies and other bodies having an interest in the Neighbourhood.

7.3 Neighbourhood Plans will indicate the location of existing and proposed Arterial, Collector and Local roads; the ultimate population and number of residential units to be expected in the Neighbourhood; the location and extent of land for community facilities, open space, school, institutional, commercial and residential uses; the distribution and mix of housing of various densities; the location of major redevelopment areas and the location and design of basic engineering services and public utilities. Neighbourhood Plans will also form a basis for the maintenance of relevant statistical data.

7.4 Neighbourhood Plans may be revised from time to time by resolution of Council. Such revisions must be in conformity with the relevant policies of this Official Plan. No formal amendment to this Official Plan will be required for such revisions unless the proposed revision does not conform to the general intent and purpose of this Official Plan.

SUBSECTION F.8

MUNICIPAL LAND ACQUISITION

8.1 According to the provisions of the Planning Act and other relevant legislation, the City may acquire land in order to implement appropriate features of this Plan. Accordingly, the City may acquire land pursuant to:

a) The Planning Act for the purpose of providing Park space;

b) The Planning Act for redevelopment purposes which will include the relocation of Non-Conforming Uses;

c) The Municipal Act for the purpose of providing off-street automobile Parking lots and Highway land acquisition;

d) The Housing Development Act to promote an orderly housing market and to facilitate housing projects and home ownership; and

e) The Ontario Heritage Act for the preservation of Historically or Architecturally significant buildings.

8.2 Additional lands for Open Space purposes will be acquired through any of the following methods as provided for in The Planning Act:

a) In considering any development or redevelopment proposal, Council shall determine whether to require the dedication of parkland or require cash in lieu of such dedication. Such dedication shall not exceed 2% for commercial and industrial development and 5% in all other cases;

b) In addition to the foregoing, Council may require the dedication of parkland or cash in lieu of parkland where park deficiencies are identified in the City's Recreation Master Plan to a maximum of one hectare for each 300 dwelling units. This standard will only be applied to proposed multiple family housing projects at a density greater than 29 units per net residential hectare whether or not the project is redevelopment or development;

c) Funds set aside through the City's Five Year Capital Budget; and,

d) Gifts of land.

8.3 Priorities for parkland acquisition will be based on the City's Recreation Master Plan as updated from time to time in accordance with Policy A.7.2.5, the relevant Secondary Plan provisions of this Plan and the following:

a) existing and proposed population densities;

b) existing facilities and their accessibility to the Neighbourhood residents;

c) the availability of funds for acquisition;

d) the availability of land on the open market; and

e) the necessity to expropriate based on time limitations to available acquistion funding.

8.4 Where practical, new parkland will be acquired in co-operation with land acquisition programs of School Boards. However, requirements in terms of land and facilities for neighbourhoods should be independent of school sites, and in accordance with the relevant policies of Subsection A.7.

8.5 Council shall acquire lakeshore lands where feasible and practical for Open Space purposes or ensure public access to the lakeshore through easements and/or public right-of-ways. Further, where feasible and deemed appropriate, Council shall acquire Parklands or established recreational rights-of-ways along water courses.

8.6 Where lands are required to be dedicated for Parkland purposes as permitted under The Planning Act, Council shall give preference to the dedication of developable lands. Existing vegetation will be in an undisturbed condition and the site will be free of debris with top soil intact. Further, the deposition of stone, brick, sand, concrete, equipment, soil, or other materials will be prohibited unless a written permit from the appropriate Municipal Department is provided. Any dedication of land to the City will be adequately drained and transferred in an acceptable condition in accordance with City standards.

SUBSECTION F.9

FIVE-YEAR CAPITAL WORKS PROGRAMS

9.1 Council shall prepare and adopt annually, a five-year capital budget identifying all approved capital facilities to be undertaken during the succeeding five years. The budget will include the following:

(a) A list of individual capital facilities,

(b) A statement concerning the need for each facility,

(c) Estimated cost and timing of the facilities,

(d) Method of financing the facilities, and

(e) Impact of financing and operating the capital facilities on taxes.

9.2 Council shall add new capital facilities or alter the timing of projects in the five year capital budget only at the expense of other projects in the five year capital budget.

9.3 The Five-Year Capital Budget and the Municipal Budget forecasts will be drawn up to recognize the provisions of this Plan.

SUBSECTION F.10

FINANCIAL STABILITY

10.1 The implementation of this Plan shall be such that the municipal tax base will be protected and sufficient funds will be available to maintain and enhance the levels of public works. As a result, further developments may be analyzed for their financial impact. Where such an analysis demonstrates that the development will have an adverse effect on the City's financial situation, then the development will be considered to be contrary to the intent of this Plan.

10.2 If residential development is proposed in areas not designated in this Plan for such development, then prior to any consideration of an Amendment to this Plan, a financial impact statement shall be prepared by the proponent which shall show the effects on:

a) The net long-term debt liabilitites and the annual charges for these;

b) The assessment ratio and per capita assessment;

c) The costs for social services; and,

d) The existing mill rates and taxation levels.

10.3 In order to maintain and enhance levels of service, the payment of an appropriate levy(s) shall be required in all instances where new residential development or redevelopment for residential purposes are proposed.

10.4 Where a major development or redevelopment proposal is considered to have a potentially adverse effect on the costs of the provision of municipal services, Council may require the developer to:

a) Secure appropriate non-residential developments that will offset the adverse effects; or in accordance with the provisions of this Plan.

b) Agree, by way of a subdivision agreement, to the payment of a levy which, in the opinion of the City, will offset the adverse effects.

If an agreement with the developer cannot be reached in accordance with the foregoing, the developer will be required to:

c) Modify the proposal so as to mitigate or eliminate the adverse effects; or,

d) Defer implementation of the proposal until the financial circumstances of the City improve to the extent that the proposed development will not adversely affect the City in respect of the matters set out in this Subsection.

SUBSECTION F.11

PLAN REVIEW AND AMENDMENTS

11.1 This PLAN has been formulated so as to require REVIEW at regular intervals as follows:

a) A major REVIEW will be carried out at five-year intervals;

b) An annual REVIEW will be made if new information becomes available that will require consideration to amend the provisions of this Plan.

c) AMENDMENTS will be required when revisions are made to the Regional Official Plan which have a direct effect on the planning of Stoney Creek.

11.2 In addition to the foregoing, AMENDMENTS to this Plan will be required when a change in land-use designation or a major public work is proposed that does not comply with the policies herein or any other major change that is proposed to the policies of this PLAN.

11.3 Council recognizes that an important part of the planning process is the continuous evaluation, through special studies, of existing development as the basis for policy formulation and review. Accordingly, a Monitoring System will be implemented to monitor development within the City and measure the effectiveness of the policies of this Plan.

11.4 Council shall promote the active participation of the Citizens of Stoney Creek in the implementation of the policies of this Plan and any subsequent amendments, and shall provide opportunities for such participation in accordance with the provisions of the Planning Act.

11.5 It is intended that all proposed amendments to this Official Plan be subject to a formal public participation procedure. In this respect, when a public meeting is to be held to inform the public and to provide an opportunity to the public to make representation in respect to a proposed Official Plan Amendment, notice of such meeting must be given to the public at least 14 days before the holding of the public meeting. In the event that the proposed amendment is considered by Planning Committee to have a city-wide effect, notice of a public meeting regarding the proposed amendment shall be placed in a newspaper. Alternatively, if the proposed amendment is site specific in nature and will in the opinion of the Committee have limited effect on the City, notice of a public meeting may be provided by personal service or prepaid mail to every owner of land to which the Amendment applies and to every owner of land within 120 metres of the area of the proposed amendment. IN ALL INSTANCES, Council's decision on the proposed Amendment will take place a minimum of 30 days from the time Notification is first given.

SUBSECTION F.12

GENERAL PROVISIONS & INTERPRETATION

12.1 Adoption of this Plan by the City Council will be evidence that the City will endeavour to adhere to the Plan and implement its provisions; more particularly:

a) No public works will be undertaken that do not conform with the intent of this Plan;

b) No by-laws or other regulations will be adopted or imposed that are contrary to the provisions of this Plan;

c) The Municipal Budget and Five-Year Captial Budget forecast will be set out to recognize the provisions of this Plan; and

d) Nothing in this Plan shall be interpreted to mean that an undertaking, subject to The Environmental Assessment Act, may proceed except in compliance with the Act.

12.2 Any change of a statement of policy or objective or the addition or deletion of a statement of policy or objective, shall require an amendment to the Plan.

12.3 In the case of a discrepancy between the policy statements and related schedules, the policies will supersede. The policy statements and schedules will be implemented through the authority of The Planning Act where it states that no public works shall be undertaken or no by-laws passed that do not conform to the Plan.

12.4 The boundaries of the land use designations identified on Schedule "A" and the Schedule "A" Series shall be considered FIXED where bounded by public roads, lot and/or concession lines as originally surveyed, or by clearly definable physical features. Where not so identified, boundaries may be adjusted to the nearest natural or man-made physical feature (such as but not limited to a major watercourse, waterbody, escarpment face, hydro-corridor, road right-of-way or railway right-of-way) or lots and concession lines as originally surveyed. Such minor adjustments will not require an amendment to this Plan provided it does not result in an intensification of land use or interfere with surrounding land uses. It is intended, therefore, that minor adjustments may be made in respect of these boundaries in the Zoning By-law without the necessity of further amending this Official Plan, so long as such By-laws conform to the general intent and purpose of this Plan and the Regional Official Plan. In the case of discrepancy between Schedule "A" and the Schedule "A" Series, the more detailed Secondary Plan Schedule of the "A" Series in conjunction with the relevant policies of this Plan shall prevail.

12.5 In addition to Policy F.12.4 where the boundaries of the Urban Policy Area as identified on Schedule "A" are not considered as FIXED, the natural or man-made physical feature to be used to identify such boundaries shall be that feature closest to the boundaries of the Urban Policy Area.

12.6 Except for the amendments initiated by Council to further expand the scope of this Plan, it is not intended to amend this Plan unless it can be demonstrated that such an Amendment would:

a) be consistent with the objectives of this Plan and would not create a land use conflict with adjacent existing or proposed uses;

b) not create an adverse effect on the City's financial situation in accordance with the relevant provisions of Subsection F.10; and

c) not detract from the social amenities and welfare of residents.

SUBSECTION F.13

DEFINITIONS OF OFFICIAL PLAN TERMS

The following definitions apply for the purposes of this Plan.

1. CONSENT

Subdivision of land in accordance with Section 49(1) of the Planning Act 1983, S.O. 1983, CH.1

2. CONSERVATION AUTHORITY

The Hamilton Region Conservation Authority and the Niagara Penninsula Conservation Authority.

3. FARM

The land which is operated and used for the production of food and/or agricultural goods.

4. FARMER

A person who operates, resides on and owns a viable farm operation and whose principal activity is the production of food and/or agricultural goods.

5. FLOOD PLAIN

Areas susceptible to flooding of a water course and delineated by flood lines.

6. FLOODLINES

Lines (elevations) on maps delineating land which will be flooded during a Regional storm of an assumed intensity of rainfall as determined by the Conservation Authorities in conjunction with the Ontario Ministry of Natural Resources.

7. FORESTS AND WOODLOTS

A forested area comprised of 1.0 hectare or more, where livestock does not pasture or roam and which contains one or more of the following species of trees: pine, spruce, hemlock, tamarack, oak, cedar, balsam, fir, birch, ash, hickory, basswood, tulip, black cherry, walnut, beech, butternut, chestnut, maple, sycamore, locust, black gum, sassafras or poplar.

The woodlot must have in addition to the above:

a) 1,000 trees of any size per hectare, or

b) 750 trees, measuring over 5 centimetres in diameter per hectare, or

c) 500 trees, measuring over 12 centimetres in diameter per hectare, or

d) 250 trees, measuring over 20 centimetres in diameter per hectare.

8. FORESTRY

The growing, management and harvesting of trees.

9. GROSS LEASABLE COMMERCIAL FLOOR AREA

That area in which tenants pay rent for what are commonly referred to as stalls and which is exclusive to tenant occupancy including basement, mezzanines and upper floors, measured from the centre line of joint partitions and from outside wall faces.

10. GROUP HOME

A Group Home is a single housekeeping unit in a residential dwelling in which 3 to 10 persons excluding supervisory staff or receiving family live as a family under responsible supervision consistent with the particular needs of its residents. The home is licenced or approved under Provincial statutes and in compliance with municipal by-laws.

11. PRIME AGRICULTURAL LANDS

Lands classified as Classes 1 to 4 inclusive of the Canada Land Inventory of Soil Capabilities.

12. RESIDENTIAL CARE FACILITY

Supervised community-based group living arrangement located in a single housekeeping unit occupied wholly by such use for a maximum number of residents as specified in the Zoning By-law with social, legal, emotional, mental or physical handicaps or problems that is developed for the well being of its residents through self help and/or professional care, guidance and supervision unavailable in a resident's own family or in an independent situation provided:

a) the residents of the Residential Care Facility are referred by a hospital, Court or government agency, and the home is licenced by the Municipality, or

b) such facility is government funded either wholly or in part for operation, and is regulated or supervised under any general or specific act (municipal, provincial, federal statute).

13. RURAL RESIDENTIAL ESTATE DEVELOPMENT

Low density, detached housing development in the Rural Lakeshore Planning District on the basis of plans of subdivision and generally having a minimum lot size of 0.6 hectares.

14. SHOPPING CENTRE

A group of architecturally unified commercial establishments planned and developed as a unit and having no less than 1400 square metres of combined gross leasable floor area. A shopping centre will include parking facilities for customers and it may include additional uses such as residential or office areas although such additional uses will not be included within the calculations of the gross leasable area of the shopping centre.

15. SPECIALITY CROP AREAS

Areas where a combination of special soils, and climate and other factors exist providing desirable conditions for the production of tender fruits (e.g. peaches and sweet cherries) and other speciality crops such as vegetables.

16. URBAN TRANSIT AREA

That area within the Region against which Regional Council may by by-law, levy the sums required to meet any deficit arising out of the operation of the Regional Public Transportation System within its boundaries.

17. VIABLE FARM

A farm operation which under the operator's management generates sufficient income to:

a) Support a farm family;

b) Cover operating and maintenance costs of the operation of the farm;

c) Repay debts, associated with the operation of the farm; and

d) Provide for capital improvements in buildings and equipment to increase efficiency and productivity of the farm operation.

CITY POLICY SCHEDULES

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PART THREE

THE APPENDICES

APPENDIX A

SECONDARY PLAN TABLES

APPENDIX A1

WESTERN DEVELOPMENT AREA SECONDARY PLAN TABLES

The following appendices provide relevant background statistical estimates for the Western Development Area Secondary Plan.

WESTERN DEVELOPMENT AREA PLANNING DISTRICT

SECONDARY PLAN

GENERAL LAND USE ALLOCATION

LAND USE	AREA (HA)
Net Residential	446.5
Major Commercial	16.4
Major Institutional	18.2
Major Open Space	48.3
Elementary Schools	15.1
Neighbourhood Parks	29.3
Existing Local Commercial, Community & Institutional	4.1
Roads & Utilities	124.6
Total District Area	702.5
Gross Population Density (p.p.ha.)	35

RESIDENTIAL LAND USE ALLOCATION & ESTIMATED POPULATION

Residential Density (Units per hectare)	Total Area (ha)	Undeveloped Area (ha)	Developed Area (ha)	Estimated[1] Population Increase	Existing[2] Estimated Population	Total Estimated Population
Low Density	400.9	135.4	265.5	5680	13,150	18,830
Medium Density	43.9	30.9	13.0	3553	1,130	4,683
Medium/High Density	1.7	1.7		170		170
High Density						
Net Residential Area	446.5	168.0	278.5			
Estimated Population				9403	14,280	23,683
Population Contingency Allowance±(5%)						1,177
Total Population						24,860
Net Population Density (p.p.ha)						56

1. Based on estimated gross residential densities for undeveloped residential areas assuming a range of household sizes of 1.6 to 3.1 persons per dwelling.

2. Based on 1982 Regional Assessment Data adjusted according to City's Land Use Records.

1. EASTDALE NEIGHBOURHOOD

GENERAL LAND USE ALLOCATION

LAND USE	AREA (HA)
Net Residential	65.8
Major Commercial	0.8
Major Institutional	
Major Open Space	
Elementary Schools	1.8
Neighbourhood Parks	4.3
Existing Local Commercial, Community & Institutional	0.4
Roads & Utilities	21.7
Total Neighbourhood Area	94.8
Gross Population Density (p.p.ha.)	38

RESIDENTIAL LAND USE ALLOCATION & ESTIMATED POPULATION

Residential Density (Units per hectare)	Total Area (ha)	Undeveloped Area (ha)	Developed Area (ha)	Estimated Population Increase	Existing Estimated Population	Total Estimated Population
Low Density	63.1	9.6	53.5	360	2,800	3,160
Medium Density	2.7	2.7		310		310
Medium/High Density						
High Density						
Net Residential Area	65.8	12.3	53.5			
Estimated Population				670	2,800	3,470
Population Contingency Allowance±(5%)						170
Total Population						3,640
Net Population Density (p.p.ha)						55

2. CORMAN NEIGHBOURHOOD

GENERAL LAND USE ALLOCATION

LAND USE	AREA (HA)
Net Residential	59.4
Major Commercial	2.6
Major Institutional	
Major Open Space	10.7
Elementary Schools	1.6
Neighbourhood Parks	4.9
Existing Local Commercial, Community & Institutional	0.6
Roads & Utilities	15.3
Total Neighbourhood Area	95.1
Gross Population Density (p.p.ha.)	40

RESIDENTIAL LAND USE ALLOCATION & ESTIMATED POPULATION

Residential Density (Units per hectare)	Total Area (ha)	Undeveloped Area (ha)	Developed Area (ha)	Estimated Population Increase	Existing Estimated Population	Total Estimated Population
Low Density	45.8	17.7	28.1	650	1850	2500
Medium Density	11.9	0.5	11.4	57	970	1027
Medium/High Density	1.7	1.7		170		170
High Density						
Net Residential Area	59.4	19.9	39.5			
Estimated Population				877	2820	3697
Population Contingency Allowance ±(5%)						183
Total Population						3880
Net Population Density (p.p.ha)						65

3. POPLAR PARK NEIGHBOURHOOD

GENERAL LAND USE ALLOCATION

LAND USE	AREA (HA)
Net Residential	61.0
Major Commercial	3.7
Major Institutional	1.0
Major Open Space	
Elementary Schools	1.4
Neighbourhood Parks	4.5
Existing Local Commercial, Community & Institutional	0.9
Roads & Utilities	16.5
Total Neighbourhood Area	89.0
Gross Population Density (p.p.ha.)	40

RESIDENTIAL LAND USE ALLOCATION & ESTIMATED POPULATION

Residential Density (Units per hectare)	Total Area (ha)	Undeveloped Area (ha)	Developed Area (ha)	Estimated Population Increase	Existing Estimated Population	Total Estimated Population
Low Density	57.9	25.1	32.8	930	2,100	3,030
Medium Density	3.1	3.1		360		360
Medium/High Density						
High Density						
Net Residential Area	61.0	28.2	32.8			
Estimated Population				1,290	2,100	3,390
Population Contingency Allowance (5%)						170
Total Population						3,560
Net Population Density (p.p.ha)						58

4. SOUTH MEADOW NEIGHBOURHOOD

GENERAL LAND USE ALLOCATION

LAND USE	AREA (HA)
Net Residential	56.4
Major Commercial	0.7
Major Institutional	4.1
Major Open Space	8.4
Elementary Schools	3.0
Neighbourhood Parks	4.1
Existing Local Commercial, Community & Institutional	0.6
Roads & Utilities	13.7
Total Neighbourhood Area	91.0
Gross Population Density (p.p.ha.)	28

RESIDENTIAL LAND USE ALLOCATION & ESTIMATED POPULATION

Residential Density (Units per hectare)	Total Area (ha)	Undeveloped Area (ha)	Developed Area (ha)	Estimated Population Increase	Existing Estimated Population	Total Estimated Population
Low Density	56.0	3.7	52.3	140	2200	2340
Medium Density	0.4		0.4		60	60
Medium/High Density						
High Density						
Net Residential Area	56.4	3.7	52.7			
Estimated Population				140	2260	2400
Population Contingency Allowance±(5%)						120
Total Population						2520
Net Population Density (p.p.ha)						45

5. GUERNSEY NEIGHBOURHOOD

GENERAL LAND USE ALLOCATION

LAND USE	AREA (HA)
Net Residential	60.0
Major Commercial	6.0
Major Institutional	
Major Open Space	
Elementary Schools	1.7
Neighbourhood Parks	5.3
Existing Local Commercial, Community & Institutional	0.2
Roads & Utilities	13.4
Total Neighbourhood Area	86.6
Gross Population Density (p.p.ha.)	36

RESIDENTIAL LAND USE ALLOCATION & ESTIMATED POPULATION

Residential Density (Units per hectare)	Total Area (ha)	Undeveloped Area (ha)	Developed Area (ha)	Estimated Population Increase	Existing Estimated Population	Total Estimated Population
Low Density	53.1	11.3	41.8	420	1800	2220
Medium Density	6.9	5.7	1.2	650	100	750
Medium/High Density						
High Density						
Net Residential Area	60.0	17.0	43.0			
Estimated Population				1070	1900	2970
Population Contingency Allowance±(5%)						150
Total Population						3120
Net Population Density (p.p.ha)						52

6. HIGHWAY VALLEY NEIGHBOURHOOD

GENERAL LAND USE ALLOCATION

LAND USE	AREA (HA)
Net Residential	56.3
Major Commercial	1.2
Major Institutional	1.9
Major Open Space	11.9
Elementary Schools	1.4
Neighbourhood Parks	2.2
Existing Local Commercial, Community & Institutional	0.9
Roads & Utilities	15.2
Total Neighbourhood Area	91.0
Gross Population Density (p.p.ha.)	28

RESIDENTIAL LAND USE ALLOCATION & ESTIMATED POPULATION

Residential Density (Units per hectare)	Total Area (ha)	Undeveloped Area (ha)	Developed Area (ha)	Estimated Population Increase	Existing Estimated Population	Total Estimated Population
Low Density	53.1	15.5	37.6	580	1,500	2,080
Medium Density	3.2	3.2		370		370
Medium/High Density						
High Density						
Net Residential Area	56.3	18.7	37.6			
Estimated Population				950	1,500	2,450
Population Contingency Allowance±(5%)						120
Total Population						2,570
Net Population Density (p.p.ha)						46

7. WESTMERIA NEIGHBOURHOOD

GENERAL LAND USE ALLOCATION

LAND USE	AREA (HA)
Net Residential	49.2
Major Commercial	0.9
Major Institutional	11.2
Major Open Space	8.0
Elementary Schools	4.2
Neighbourhood Parks	2.4
Existing Local Commercial, Community & Institutional	0.3
Roads & Utilities	8.8
Total Neighbourhood Area	85.0
Gross Population Density (p.p.ha.)	39

RESIDENTIAL LAND USE ALLOCATION & ESTIMATED POPULATION

Residential Density (Units per hectare)	Total Area (ha)	Undeveloped Area (ha)	Developed Area (ha)	Estimated Population Increase	Existing Estimated Population	Total Estimated Population
Low Density	37.3	29.1	8.2	1500	300	1800
Medium Density	11.9	11.9		1370		1370
Medium/High Density						
High Density						
Net Residential Area	49.2	41.0	8.2			
Estimated Population				2870	300	3170
Population Contingency Allowance±(5%)						160
Total Population						3330
Net Population Density (p.p.ha)						68

8. DEWITT NEIGHBOURHOOD

GENERAL LAND USE ALLOCATION

LAND USE	AREA (HA)
Net Residential	38.4
Major Commercial	0.5
Major Institutional	
Major Open Space	9.3
Elementary Schools	
Neighbourhood Parks	1.6
Existing Local Commercial, Community & Institutional	0.2
Roads & Utilities	20.0
Total Neighbourhood Area	70.0
Gross Population Density (p.p.ha.)	31

RESIDENTIAL LAND USE ALLOCATION & ESTIMATED POPULATION

Residential Density (Units per hectare)	Total Area (ha)	Undeveloped Area (ha)	Developed Area (ha)	Estimated Population Increase	Existing Estimated Population	Total Estimated Population
Low Density	34.6	23.4	11.2	1100	600	1700
Medium Density	3.8	3.8		436		436
Medium/High Density						
High Density						
Net Residential Area	38.4	27.2	11.2			
Estimated Population				1536	600	2136
Population Contingency Allowance±(5%)						104
Total Population						2240
Net Population Density (p.p.ha)						58

APPENDIX A2

WINONA URBAN COMMUNITY SECONDARY PLAN TABLES

The following appendices provide relevant background statistical estimates for the Winona Urban Community Secondary Plan.

WINONA URBAN COMMUNITY PLANNING DISTRICT

SECONDARY PLAN

GENERAL LAND USE ALLOCATION

LAND USE	AREA (HA)
Net Residential	90.7
Major Commercial	8.7
Major Institutional	
Major Open Space	4.4
Elementary Schools	2.1
Neighbourhood Parks	2.9
Existing Local Commercial, Community & Institutional	2.8
Roads & Utilities	21.3
Total District Area	132.9
Gross Population Density (p.p.ha.)	22

RESIDENTIAL LAND USE ALLOCATION & ESTIMATED POPULATION

Residential Density (Units per hectare)	Total Area (ha)	Undeveloped Area (ha)	Developed Area (ha)	Estimated[1] Population Increase	Existing[2] Estimated Population	Total Estimated Population
Low Density	90.7	44.6	46.1	1660	1085	2745
Medium Density						
Medium/High Density						
High Density						
Net Residential Area	90.7	44.6	46.1			
Estimated Population				1660	1085	2745
Population Contingency Allowance (5%)						135
Total Population						2880
Net Population Density (p.p.ha)						32

[1] Based on estimated gross residential densities for undeveloped residential areas assuming an average household size of 3.1 persons per dwelling.

[2] Based on 1982 Regional Assessment Data adjusted according to City's Land Use Records.

1. WINONA NORTH

GENERAL LAND USE ALLOCATION

LAND USE	AREA (HA)
Net Residential	39.5
Major Commercial	7.9
Major Institutional	
Major Open Space	
Elementary Schools	
Neighbourhood Parks	1.3
Existing Local Commercial, Community & Institutional	
Roads & Utilities	9.2
Total Neighbourhood Area	57.9
Gross Population Density (p.p.ha.)	22

RESIDENTIAL LAND USE ALLOCATION & ESTIMATED POPULATION

Residential Density (Units per hectare)	Total Area (ha)	Undeveloped Area (ha)	Developed Area (ha)	Estimated Population Increase	Existing Estimated Population	Total Estimated Population
Low Density	39.5	24.0	15.5	890	345	1235
Medium Density						
Medium/High Density						
High Density						
Net Residential Area	39.5	24.0	15.5			
Estimated Population				890	345	1235
Population Contingency Allowance (5%)						60
Total Population						1295
Net Population Density (p.p.ha)						33

2. WINONA SOUTH

GENERAL LAND USE ALLOCATION

LAND USE	AREA (HA)
Net Residential	51.2
Major Commercial	0.8
Major Institutional	
Major Open Space	4.4
Elementary Schools	2.1
Neighbourhood Parks	1.6
Existing Local Commercial, Community & Institutional	2.8
Roads & Utilities	12.1
Total Neighbourhood Area	75.0
Gross Population Density (p.p.ha.)	21

RESIDENTIAL LAND USE ALLOCATION & ESTIMATED POPULATION

Residential Density (Units per hectare)	Total Area (ha)	Undeveloped Area (ha)	Developed Area (ha)	Estimated Population Increase	Existing Estimated Population	Total Estimated Population
Low Density	51.2	20.6	30.6	770	740	1510
Medium Density						
Medium/High Density						
High Density						
Net Residential Area	51.2	20.6	30.6			
Estimated Population				770	740	1510
Population Contingency Allowance (5%)						75
Total Population						1585
Net Population Density (p.p.ha)						31

APPENDIX B

INFORMATION MAPS

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